

(c) Clear and unobstructed intervals of at least 200 feet shall be maintained between successive pound [or stake] nets in the same row.

(d) A person may not set a pound [or stake] net in or upon the waters covering leased oyster ground without the permission of the lessee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

Approved April 27, 2004.

---

**CHAPTER 222**

**(House Bill 1288)**

AN ACT concerning

**Education - Positive Behavioral Interventions and Support Program**

FOR the purpose of requiring a county board of education and the Board of School Commissioners of Baltimore City to require certain elementary schools to implement a Positive Behavioral Interventions and Support Program or a certain alternative program under certain circumstances; defining a certain term; requiring the State Board of Education to adopt certain regulations; and generally relating to the Positive Behavioral Interventions and Support Program.

BY adding to

Article - Education

Section 7-304.1

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Education**

7-304.1.

(A) IN THIS SECTION, "POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORT PROGRAM" MEANS THE RESEARCH-BASED, SYSTEMS APPROACH METHOD ADOPTED BY THE STATE BOARD TO BUILD CAPACITY AMONG SCHOOL STAFF TO ADOPT AND SUSTAIN THE USE OF POSITIVE, EFFECTIVE PRACTICES TO CREATE LEARNING ENVIRONMENTS WHERE TEACHERS CAN TEACH AND STUDENTS CAN LEARN.

(B) EACH COUNTY BOARD OF EDUCATION AND THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY SHALL REQUIRE AN ELEMENTARY SCHOOL THAT HAS A SUSPENSION RATE THAT EXCEEDS ~~20~~ 18 PERCENT OF THE ELEMENTARY SCHOOL'S ENROLLMENT TO IMPLEMENT: