

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**

Senate Bill 756 (Senator Conway)

Education, Health, and Environmental Affairs

Ways and Means

---

**Education - Positive Behavioral Interventions and Support Programs -  
Regulations**

---

This bill establishes an October 1, 2005 deadline for the adoption of regulations governing Positive Behavioral Interventions and Support (PBIS) programs by the State Board of Education.

The bill takes effect July 1, 2005.

---

**Fiscal Summary**

**State Effect:** The State Board of Education could meet the deadline with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** An elementary school that has a suspension rate that exceeds 18% of its enrollment must implement a PBIS program or an alternative behavioral modification program in collaboration with the Maryland State Department of Education (MSDE). The State Board of Education is required to adopt regulations to implement this requirement, but there is no deadline for the adoption of the regulations.

**Background:** Chapter 222 of 2004 established the requirement that elementary schools with high suspension rates implement a PBIS program and required the State Board of

Education to adopt regulations for the requirement. MSDE advises that the regulations are currently being drafted.

PBIS is a research-based approach to enhancing the ability of school staff to adopt and sustain the use of positive and effective practices that improve the learning environment. MSDE currently has a partnership with Sheppard Pratt Health Systems and the University of Oregon researcher who developed PBIS to provide training to teams of educators from schools who want to implement PBIS. Personnel from schools that have had teams attend the training report reductions in office referrals after implementing the program. MSDE has reported that PBIS increases minutes in instruction, makes instructional minutes more effective, and creates a climate that is more calm and conducive to learning.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2005  
n/rhh

---

Analysis by: Mark W. Collins

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510