

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE

House Bill 1495  
Ways and Means

(Delegate Marriott)

Education, Health, and Environmental  
Affairs

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Education - Student Behavioral Intervention and Support Programs -  
Applicability

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This bill reduces the suspension rate needed to trigger the requirement that an elementary school implement a positive behavior interventions and support (PBIS) program or an alternative behavioral modification program. The rate is reduced to 16% of the school's enrollment in the 2006-2007 school year, 14% of the school's enrollment in the 2007-2008 school year, 12% of the school's enrollment in the 2008-2009 school year, and 10% of the school's enrollment in the 2009-2010 school year and each year thereafter.

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Fiscal Summary

**State Effect:** The Maryland State Department of Education (MSDE) could continue to monitor the implementation of PBIS and other behavioral modification programs in elementary schools with existing resources.

**Local Effect:** Local school expenditures would increase by an estimated \$36,000 in FY 2007 to implement PBIS or other behavioral modification programs in additional schools. Costs would increase to an estimated \$253,000 in FY 2010, as a lower suspension rate threshold is phased in. Local school revenues would not be affected.

**Small Business Effect:** None.

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Analysis

**Current Law:** An elementary school with a suspension rate that exceeds 18% of the school's enrollment must implement PBIS or an alternative behavioral modification program in collaboration with MSDE.

**Background:** Chapter 222 of 2004 established the requirement that elementary schools with suspension rates in excess of 18% implement PBIS or other behavior modification programs. At that time, 25 elementary schools had suspension rates that would have required the implementation of behavioral modification programs. During the 2004-2005 school year, only four elementary schools exceeded the 18% threshold.

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. Schools that have implemented PBIS report reductions in office referrals, and 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.

**State Expenditures:** MSDE estimates additional administrative costs for the program associated with adding new personnel to oversee the training for and implementation of PBIS and other behavioral modification programs in a greater number of elementary schools. However, based on the relatively small number of schools that might be involved in the program, an estimated 29 by fiscal 2010, Legislative Services believes MSDE could continue to monitor the program with existing personnel and resources. In addition, the cost for training teams of teachers in behavioral modification approaches is assumed to be a local cost. If the number of schools that are required to implement behavioral modification programs increases much beyond 30, additional MSDE personnel and administrative expenses could be necessary.

**Local Expenditures:** Local school system expenditures would increase by an estimated \$36,000 in fiscal 2007 to implement behavioral modification programs in approximately four additional elementary schools during the 2006-2007 school year. This estimate was calculated using the following information and assumptions.

- In the 2004-2005 school year, there were four elementary schools that exceeded the 18% limit and were required to implement the programs.
- MSDE advises that eight elementary schools would have exceeded a 16% suspension rate threshold in the 2004-2005 school year, an increase of four schools.
- PBIS will cost an estimated \$9,000 per school to implement in fiscal 2007.

Year-by-year expenditure increases are projected below and are estimated using the number of elementary schools that would have exceeded the reduced suspension rate thresholds during the 2004-2005 school year. In addition, the estimates assume 4% annual increases in the cost to implement PBIS or other behavioral modification programs.

<u>School Year</u>	<u>Suspension Rate Threshold</u>	<u>Est. # of Schools Over Threshold</u>	<u>Additional Schools Affected</u>	<u>Est. Cost Per School</u>	<u>Total Local Costs</u>
2006-2007	16%	8	4	\$9,000	\$36,000
2007-2008	14%	15	11	9,360	102,960
2008-2009	12%	22	18	9,730	175,140
2009-2010	10%	29	25	10,120	253,000
2010-2011	10%	29	25	10,520	263,000

The costs of implementing PBIS are associated with providing two training days and two planning days to teams of personnel from each school. Ongoing costs for an elementary school that continues to exceed the suspension rate threshold could be less since school personnel would have already undergone the required training.

### 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 20, 2006  
ncs/rhh

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