



## **SB542 PUBLIC SCHOOL STUDENTS - DAILY PHYSICAL ACTIVITY (STUDENT HEALTH AND FITNESS ACT)**

March 3, 2020

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

### **OPPOSE**

Jeanette Ortiz, Esq., Legislative & Policy Counsel (410.703.5352)

---

Anne Arundel County Public Schools (AACPS) opposes **SB542 Public School Students - Daily Physical Activity (Student Health and Fitness Act)**. This bill requires a specified program of physical education for prekindergarten students. The bill also establishes a goal that each public elementary school student be provided a daily program of developmentally appropriate moderate to vigorous physical activity of at least 150 minutes per week, including recess and at least 90 minutes per week of physical education. The Maryland State Department of Education (MSDE) must collect data from each public elementary school on the daily program of physical activity provided to students. MSDE must annually publish this data, and whether a public elementary school has met the goal discussed above, on its website.

AACPS student physical education and we believe that students benefit from additional physical education and activity. AACPS understands the importance of physical activity and its positive correlation to academic performance as well its enhancement of a child's physical, social, emotional and cognitive development. Elementary school students at AACPS receive 60 minutes of physical education curriculum each week, a minimum of 20 minutes of recess each day and other in-class physical activities. While we appreciate the sponsors efforts to remove mandates that were in the bill in previous year, we still have concerns with the statewide goals and believe that the objectives of the proposed legislation can continue to be most effectively addressed at the local school system level.

Meeting the goals established by the legislation would have a significant fiscal impact on AACPS. Currently, AACPS provides 60 minutes per week of physical education curriculum to elementary school children. Increasing physical education instruction by 30 minutes a week would result in an additional 45.6 physical education FTE at a cost of approximately \$3.5 million in FY2021 and increasing to \$3.8 million by FY2024. In addition, AACPS would be required to reduce instructional time in other content areas or increase the length of the school day to accommodate the goal set forth in the bill of 150 minutes of physical activity per week. Reducing instructional time in other content areas would adversely impact the educational programming of our students and an increase in the length of the school day would have a significant fiscal impact on AACPS.

AACPS also has concerns with language in the bill which prohibits a student in middle school from being removed from recess as part of the routine discipline of the student. AACPS middle schools do not provide recess and we do not believe that this language is appropriate or necessary. More generally, while AACPS already has guidelines in place which prohibit recess being withheld as a consequence, we believe that such decisions should be made at the local level to best address the unique needs of each school system. It is critical for a local board of education to retain the authority to address curricular issues for its schools, and as such, AACPS opposes local public school curriculum content being mandated by the General Assembly.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on SB542.