

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

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 233 (Senator Britt, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

**Education - Physical Education Director**

This bill requires the Maryland State Department of Education (MSDE) to employ a full-time Director of Physical Education.

**Fiscal Summary**

**State Effect:** General fund expenditures could increase by an estimated \$64,100 in FY 2006 to employ a Director of Physical Education within MSDE. Future year expenditure estimates include the addition of a support position in FY 2007, annualization, regular salary increases, and inflation. Revenues would not be affected.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	64,100	132,600	135,800	143,700	152,300
Net Effect	(\$64,100)	(\$132,600)	(\$135,800)	(\$143,700)	(\$152,300)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

**Analysis**

**Current Law:** Every public school must have a program of physical education that is given in a planned and sequential manner to all students in order to develop their good health and physical fitness and improve their motor coordination and physical skills.

State regulations require regular physical education classes for students in kindergarten through grade 8, and one semester of physical education is required in grades 9 through 12 for high school graduation. Physical education instruction must provide an individualized, developmentally appropriate, and personally challenging program that advances a student’s knowledge, confidence, skills, and motivation.

**Background:** The National Conference of State Legislatures (NCSL) reports that the percentage of children who are overweight has nearly tripled over the last 20 years to approximately 15% of children ages 6 to 17. NCSL notes that there is strong evidence that quality physical education is the most effective way to positively impact this trend.

In a July 2004 presentation, the American Heart Association (AHA) noted that State legislatures have begun to address the increasing prevalence of child obesity. AHA reported that 32 states filed 75 bills addressing the issue in 2004, an increase of more than 50% from fiscal 2003. The report notes that successful legislation to date has generally begun with resolutions, recommendations, and studies and has emphasized collaboration between state and local education agencies.

**State Expenditures:** General fund expenditures would increase by an estimated \$64,106 in fiscal 2006, which accounts for the bill’s October 1, 2005 effective date. This estimate reflects the cost of hiring an education specialist to act as the Director of Physical Education. The director would provide leadership in designing, developing, implementing, and evaluating the voluntary State curriculum for physical education and local physical education curricula; facilitate physical education professional development opportunities; and identify model programs of physical education. The estimate includes a salary and fringe benefits associated with the director position, one-time start-up costs, and ongoing operating expenses. In fiscal 2007, an administrative support position would be added to assist the director.

	<u><b>FY 2006</b></u>	<u><b>FY 2007</b></u>
Salaries and Fringe Benefits	\$57,470	\$125,482
Operating Expenses	<u>6,636</u>	<u>7,139</u>
<b>Total State Expenditures</b>	<b>\$64,106</b>	<b>\$132,621</b>

Future year expenditures reflect: (1) full salaries with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

## Additional Information

**Prior Introductions:** None.

**Cross File:** HB 525 (Delegate Stern, *et al.*) – Ways and Means.

**Information Source(s):** Maryland State Department of Education, National Association for Sport and Physical Education, National Conference of State Legislatures, American Heart Association, Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2005  
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