

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

Senate Bill 611

(Senator Britt, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

Student Health and Fitness Act of 2006

This bill establishes minimum minutes per week that must be reserved for physical education in public elementary schools. In the 2007-2008 school year, all students in kindergarten through grade five must be provided a minimum of 60 minutes per week of physical education. This amount increase by 30 minutes each year until it reaches 150 minutes per week in the 2010-2011 school year. For a student with a disability, the physical education program must be consistent with the student's individualized education plan (IEP). The bill also requires each student to undergo a baseline physical education assessment and to be assessed regularly for attainment of physical education learning objectives.

Fiscal Summary

State Effect: Any additional administrative responsibilities for the Maryland State Department of Education (MSDE) could be met with existing personnel and resources.

Local Effect: Local school expenditures could increase by an estimated \$231,700 in FY 2007 to implement an available physical education assessment tool already used in at least five local school systems in Maryland. School expenditures would increase more significantly in future years for school systems that cannot meet the required minimum instructional minutes with existing personnel or in existing school facilities. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: Each public school must have a program of physical education that is given in a planned and sequential manner.

Background: Numerous sources state that the percentage of children who are overweight has nearly tripled over the last 20 years and the lack of adequate physical education programs, along with poor eating habits, have been blamed for the increase. A National Conference of State Legislatures briefing reports that research on student performance and health suggests that academic achievement is positively correlated with nutrition and physical activity. The National Parent-Teacher Association has encouraged schools to be part of the solution, and passed a resolution in 2003 that supports daily physical education programs.

MSDE advises that physical education programs in the 24 local school systems vary widely. For example, some elementary schools provide just 20 minutes of physical education per week, while others provide longer classes up to three times per week. Physical education classes in middle and high schools are generally held more frequently.

Local Expenditures: Local school expenditures could increase by an estimated \$231,700 in fiscal 2007 to implement physical education assessments. This reflects the cost of using *FitnessGram*, an assessment tool and software system currently used in at least five Maryland schools systems (Anne Arundel, Baltimore, Cecil, Charles, and Harford counties). The software tracks student performance in various physical activities and provides reports on student progress. MSDE advises that the tool costs \$1,500 for each local school system and an additional \$200 for each school. Applying these costs to 19 systems not currently using *FitnessGram* and 1,016 schools in those systems results in an expenditure increase of \$231,700. Future costs could include upgrades to the *FitnessGram* program.

More significant costs for local school systems will be incurred in future fiscal years as the required minutes per week of physical education instruction phase up to 150. Although physical education programs in some school systems may approach the required minimums, it is likely that elementary schools in a number of systems will have to hire additional physical education teachers or add space to enable more than one physical education class to take place at once. The additional costs cannot be reliably estimated but will be significant in some jurisdictions.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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