

Department of Legislative Services
 Maryland General Assembly
 2008 Session

FISCAL AND POLICY NOTE

House Bill 300 (Delegate Conaway)
 Ways and Means

Education - Public and Private Schools - Criminal Law and Criminal Procedure Courses

This bill requires local boards of education and private schools to develop mandatory courses on criminal law and criminal procedure to be implemented during middle school or an equivalent age-appropriate grade level. The State Board of Education must provide guidance and assistance to local boards and private schools.

Fiscal Summary

State Effect: General fund expenditures would increase by an estimated \$115,400 in FY 2009 to develop a model criminal law and procedure curriculum and provide training and technical assistance as local school systems implement the new curriculum. Future year estimates reflect annualization, regular salary increases, and inflation. Revenues would not be affected.

(in dollars)	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	115,400	81,400	85,300	89,500	93,900
Net Effect	(\$115,400)	(\$81,400)	(\$85,300)	(\$89,500)	(\$93,900)

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

Local Effect: Local school expenditures could increase by an estimated \$27.3 million in FY 2010 to implement mandatory criminal law and criminal procedure courses in all middle schools. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Potential meaningful. Private school expenditures would increase to implement mandatory criminal law and criminal procedure courses.

Analysis

Current Law: With the advice of the State Superintendent of Schools, the State Board of Education establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the bylaws, policies, and guidelines established by the State Board of Education, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction.

Background: The Maryland State Department of Education advises that criminal law and procedure is not part of the voluntary State curriculum for middle schools. However, the voluntary State curriculum for government at the high school level does include civil and criminal law, and students are tested on civil and criminal law in the government high school assessment. MSDE also advises that all school systems in Maryland offer elective criminal law courses.

State Expenditures: General fund expenditures could increase by an estimated \$115,370 in fiscal 2009, which accounts for the bill's October 1, 2008 effective date. This estimate reflects the cost of hiring an education program specialist to manage the development of a voluntary State curriculum for criminal law and procedure and to provide guidance and technical assistance to local school systems as they implement the new courses. A full-time salary, fringe benefits, start-up costs, and ongoing operating expenses, as well as one-time contractual costs to aid with the development of a criminal law and procedure curriculum, are included in the estimate.

	<u>FY 2009</u>	<u>FY 2010</u>
Salary and Fringe Benefits	\$59,397	\$80,564
One-time Contractual Services	45,000	0
Other Operating Expenses	<u>10,973</u>	<u>826</u>
Total State Expenditures	\$115,370	\$81,390

Future year expenditures reflect • a full salary with 4.4% annual increases and 3% employee turnover; and • 2% annual increases in ongoing operating expenses.

Local Expenditures: Local school expenditures could increase by an estimated \$27.3 million in fiscal 2010 to hire teachers qualified to teach mandatory criminal law and criminal procedure courses (\$24.7 million) and to purchase textbooks and materials needed for the courses (\$2.6 million). The information and assumptions used to develop this estimate are stated below.

- The mandated courses would be developed in the 2008-2009 school year and would be taught beginning in the 2009-2010 school year.
- There are approximately 64,000 students in each middle school grade, so each year, approximately 64,000 students would receive the required instruction.
- It is estimated that each teacher would have approximately 200 students per year. This assumes that the criminal law and procedure courses would be one semester long and that a teacher could teach approximately four classes of 25 students or five classes of 20 students per semester. In total, 320 new teachers would be needed.
- The average cost per teacher for salary and benefits is estimated at \$77,200. The total cost for 320 teachers would be approximately \$24.7 million.
- Enough textbooks and other course materials would be needed for 32,000 students each semester. The materials would cost an estimated \$80 per student, or \$2.6 million in total.

After fiscal 2010, costs for textbooks and course materials could decrease if the same materials are reused. To the extent that existing teachers are qualified to teach criminal law and procedure, costs for teachers could be somewhat less than \$24.7 million. Additional school system costs could also be incurred for curriculum development and support.

Small Business Effect: Like public schools, private schools would be required to implement criminal law and procedure courses for all middle school students. There are approximately 11,000 private school students in each middle school grade. Using the same assumptions described above for local school systems, private school costs would increase by an estimated \$4.7 million in fiscal 2010.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Baltimore City Public School System, Department of Legislative Services

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