

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 966

(Delegate Smith, *et al.*)

Ways and Means

Education, Health, and Environmental Affairs

Public Schools - Fees for Summer School Courses - Prohibition

This bill prohibits a local school system from charging a student a fee for enrollment in a summer school course if (1) the student attends a school in the local school system; (2) credit for the course is required for graduation from a high school in the local school system; and (3) the student previously took the course, but did not successfully complete or receive credit for the course. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None.

Local Effect: Local school system revenues decrease from specified fee revenues that would otherwise support summer school course offerings. Some combination of local or other funding sources to maintain services, redirection of existing resources, or a curtailment of expenditures on summer school courses will be necessary. **The bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: The Constitution of Maryland required the General Assembly, at its first session after the adoption of this Constitution, to by law establish throughout the State a thorough and efficient system of free public schools and to provide by taxation, or otherwise, for their maintenance. Maryland statute requires that there must be throughout the State a general system of free public schools.

The promotion of students in a public school and graduation from a public high school are in accordance with policies established by the county board and the rules and regulations of the State Board of Education. With the advice of the State Superintendent of Schools, the State Board of Education must establish minimum requirements for issuing certificates and diplomas by public and private high schools.

According to regulations, to be awarded a high school diploma, a student must be enrolled in a Maryland public school system and have earned a minimum of 21 credits in specified subjects as detailed in **Exhibit 1**.

Exhibit 1
Distribution of Credits Required to Graduate High School

<u>Subject</u>	<u>Credits</u>
English	4.0
Fine Arts	1.0
Mathematics ¹	3.0
Physical Education	0.5
Health Education	0.5
Science	3.0
Social Studies	3.0
Technology Education	1.0
World Language <i>or</i> American Sign Language <i>or</i> Advanced Technology Education ²	2.0
Electives ²	3.0

Note: The credits must meet other requirements specified in the Code of Maryland Regulations. Elective programs and instruction must be developed at the discretion of the local school system, be open to enrollment for all students, and focus on in-depth study in required subject areas, exploration, or application and integration of what has been learned. In addition, all students must complete a locally designed high school program of environmental literacy approved by the State Superintendent of Schools.

¹However, beginning with students entering grade 9 in the 2014-2015 school year, each student must enroll in a mathematics course in each year of high school that the student attends, up to a maximum of four years of attendance, unless in the fifth or sixth year a mathematics course is needed to meet a graduation requirement.

²Alternatively, a student may successfully complete a State-approved career and technology program for four credits and one credit in an elective.

Source: Code of Maryland Regulations; Department of Legislative Services

Background: The bill limits the ability of local school systems to charge their students a fee for summer school courses that a student has already taken during the school year and is required for graduation. These courses are generally referred to as credit recovery courses. Local school systems vary in their practices regarding summer school fees. Most local school systems charge a fee for credit recovery courses, although many provide considerably discounted fees to students from low-income families. For example, in 2018, Frederick County Public Schools generally charged \$200 per summer school course, but charged \$100 to students qualifying for reduced-price school meals, and charged no fee to students qualifying for free school meals. Fees for out-of-county students are typically higher than for school system students.

Prince George's County Public Schools (PGCPS) advises that it charges from \$255 to \$455, with a 25% discount for students who qualify for free or reduced-price meals. PGCPS advises that, in 2018, 1,353 students took credit recovery courses and 855 students took original credit courses, totaling over \$600,000 in revenue. As reported by the *Washington Post*, the American Civil Liberties Union has sided with four Prince George's County students in challenging PGCPS' summer school tuition policy, in response to a denial of a request on behalf of the students for a full waiver of the charge to these students.

Anne Arundel County Public Schools (AACPS) advises that, in summer 2018, the district collected approximately \$286,000 in revenue for summer school; tuition is set at \$300 per credit, while low-income students (who account for over 90% of AACPS summer school enrollees) receive a \$200 reduction per course. Baltimore City Public Schools charges \$75 per course to summer school noncharter students, with approximately 2,900 courses taken in 2018 (including a small number of original credit courses that would not be impacted by the bill), this amounted to over \$217,500 in revenues. Montgomery County Public Schools advises that it collected \$1.1 million in revenues for credit-bearing courses taken in regional and local summer school programs in summer 2018.

Local Fiscal Effect: Though a local school system may choose to charge a higher fee to those students who may still be required to pay under the bill, it is assumed that those school systems that currently charge a fee prohibited by the bill will sustain a substantial loss of revenues.

To maintain current summer school course offerings, many school systems will need to find other funding sources or redirect existing resources. Kent County advises that it receives federal 21st Century Schools grant funding to educate approximately 100 summer school students. However, some local school systems may choose to curtail their summer school course offerings and/or increase summer school class sizes in response to the decline in fee revenues.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Anne Arundel County Public Schools; Baltimore City Public Schools; Frederick County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; *Washington Post*; Maryland State Department of Education; Department of Legislative Services

Fiscal Note History: First Reader - February 27, 2019
mag/rhh Third Reader - March 19, 2019

Analysis by: Scott P. Gates

Direct Inquiries to:
(410) 946-5510
(301) 970-5510