

Department of Legislative Services  
 Maryland General Assembly  
 2020 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 413 (Delegate Walker)  
 Ways and Means

Prince George's County - Elementary School Students - Daily Physical Activity  
 (Student Health and Fitness Act)

This bill requires all public elementary school students in Prince George’s County to be provided daily programs of physical activity totaling 150 minutes per week, including a *minimum* of 90 minutes per week of physical education. For any of the required minutes not spent in physical education, each elementary school must designate a physical activity leadership team to plan and coordinate opportunities for moderate to vigorous activity (including recess) to make up the remaining time. Physical activity must be consistent with individualized education programs, if applicable. **The bill takes effect July 1, 2020, but a local school may apply for an extension. A local school that is granted an extension must have a plan to ensure compliance by July 1, 2023.**

Fiscal Summary

**State Effect:** None. The bill applies only to Prince George’s County.

**Local Effect:** Prince George’s County Public Schools (PGCPS) costs increase to hire additional teachers for elementary schools. Depending on extensions granted, expenditures increase by up to \$5.3 million in FY 2021 and \$5.6 million by FY 2024; out-year costs increase based on inflation. Local retirement expenditures increase accordingly beginning as early as FY 2023. **This bill imposes a mandate on a unit of local government.**

**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.

The specific curriculum and course of study is set by each local board of education. Maryland regulations require a physical education comprehensive program to provide a developmentally appropriate instructional program that advances student knowledge, confidence, skills, and motivation to enjoy a lifetime of healthful physical activity.

**Background:** SHAPE (Society of Health and Physical Educators) America finds that children between the ages of 5 and 12 should accumulate at least 60 minutes and up to several hours of age-appropriate physical activity on all or most days of the week. This daily accumulation should include, according to SHAPE America, moderate and vigorous physical activity with the majority of the time being spent in activity that is intermittent in nature. SHAPE America further finds that children should participate in several bouts of physical activity lasting 15 minutes or more each day, and that extended periods (periods of two hours or more) of inactivity are discouraged for children, especially during the daytime hours.

According to the Institute of Medicine (IOM), “[e]xtensive scientific evidence demonstrates that regular physical activity promotes growth and development in youth and has multiple benefits for physical, mental, and cognitive health.” IOM finds a relationship between physical activity and “lower body fat, greater muscular strength, stronger bones, and improvements in cardiovascular and metabolic health, as well as to improvements in mental health by reducing and preventing conditions such as anxiety and depression and enhancing self-esteem.”

Data from the Maryland State Department of Education indicate that physical education programs in the 24 local school systems vary widely. For example, some elementary schools provide 40 or 45 minutes of physical education per week, while some public elementary schools in Maryland provide more than 100 minutes per week. The minimum and maximum amounts of time per week in physical education for elementary schools in each school system are shown in **Exhibit 1**. The minimum reported for PGCPs is 40 minutes, with a maximum of 90 minutes.

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**Exhibit 1**  
**Minimum and Maximum Minutes Per Week in Physical Education in**  
**Public Elementary Schools**  
**As of January 2020**

<u>School System</u>	<u>Minimum</u>	<u>Maximum</u>
Allegany	45	45
Anne Arundel	60	60
Baltimore City	45	100
Baltimore	50	100
Calvert	90	90
Caroline	40	60
Carroll	90	90
Cecil	45	45
Charles	45	90
Dorchester	50	105
Frederick	80	90
Garrett	50	100
Harford	45	90
Howard	90	90
Kent	90	90
Montgomery	45	60
Prince George's	40	90
Queen Anne's	60	60
St. Mary's	45	90
Somerset	50	60
Talbot	45	60
Washington	50	100
Wicomico	90	135 (per 6 days)
Worcester	60	90

Source: Maryland State Department of Education

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**Local Expenditures:** PGCPS has indicated that while many of its elementary schools provide 90 minutes of physical education every other week, it is estimated that few if any provide 90 minutes *every* week. Many of its elementary schools alternate between 45 minutes one week and 90 minutes the next week, while others alternate between 60 minutes one week and 90 minutes the next week. In part, these schedules allow time for music classes every other week.

To provide 90 minutes of physical education every week, PGCPS estimates that 11 of its larger elementary schools will require 1 additional teaching position and each of its remaining 121 elementary schools will require an additional half position. This amounts to an additional 71.5 full-time equivalent positions.

Based upon first-quartile salaries for Prince George’s County school teachers, and accounting for fringe benefits and inflation, as well as \$90,900 in costs for mileage, substitutes, and stipends, the total expenditure increase for PGCPS amounts to an estimated \$5.3 million for fiscal 2021 if no extensions are granted. The bill allows a local school in Prince George’s County to apply for three-year extensions to meet the requirements. If extensions are granted for each school, the expenditure increase in fiscal 2024 amounts to \$5.6 million, based on the assumptions described above and inflation of the \$90,900 in additional costs, and \$5.7 million in fiscal 2025. However, extensions could enable local schools systems to make adjustments to their budgets and identify the most efficient ways to expand physical education programs.

Local school boards are responsible for the actual normal cost of pensions for qualifying personnel. PGCPS retirement expenditures increase beginning in fiscal 2023, or as late as fiscal 2026, depending on extensions granted.

Elementary school facilities are not expected to be a barrier to requiring 90 minutes per week of physical education. To provide elementary school students with additional time for physical activity, less time may be spent on other priorities, such as instruction in other subjects. It is assumed that this will not affect school finances, although the impact on students is unknown. Alternatively, PGCPS could lengthen the school day for some or all elementary school students. Any costs associated with lengthening the school day will depend on how the adjustment is implemented and cannot be precisely determined.

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### **Additional Information**

**Prior Introductions:** House Bill 196 of 2019 received a hearing in the House Ways and Means Committee, but no further action was taken.

**Designated Cross File:** None.

**Information Source(s):** Prince George's County Public Schools; SHAPE America; Institute of Medicine; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 5, 2020  
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