

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 394

(Delegate Smith)

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, 2021.**

Fiscal Summary

State Effect: None. The bill is directed at local school systems.

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 or redirection of existing resources to maintain services, or a curtailment of expenditures on summer school courses, will be necessary. **This 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 (SBE). With the advice of the State Superintendent of Schools, SBE must establish minimum requirements for issuing certificates and diplomas by public and private high schools.

SBE must establish high school curriculum and graduation requirements for all public schools in accordance with law. According to State 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. Local school systems may establish graduation requirements beyond the minimum requirements established by the State board.

Local Fiscal Effect: 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, Anne Arundel County Public Schools (AACPS) advises that it collects 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.

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 (*e.g.*, a student who did not previously take the course) in order to remain revenue neutral, 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. 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. In counties where the local school system does not charge a student fee there is no fiscal impact under the bill.

Additional Information

Prior Introductions: House Bill 1194 of 2020 passed the House and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. House Bill 966 of 2019 passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Baltimore City Public Schools; Anne Arundel County Public Schools; Charles County Public Schools; Frederick County Public Schools; Montgomery County Public Schools; Prince George’s County Public Schools; Wicomico County Public Schools; Maryland State Department of Education; Department of Legislative Services

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