

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1105
Ways and Means

(Delegate Toles, *et al.*)

Public Schools – Water Safety and Swimming Course – Established

This bill requires, by July 1, 2024, the Maryland State Department of Education (MSDE) to develop curriculum content standards for a course on water safety and swimming for public school students in grades 8 through 12. Beginning in the 2025-2026 school year, each local school system must implement a course on water safety and swimming in each public middle and high school. A local board must award an elective physical education credit to students for successful completion of the course. A public middle or high school may partner with a local parks and recreation agency to provide access to the necessary water and swimming facilities. MSDE may adopt regulation to implement the bill. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: MSDE can develop content standards for a course on water safety and swimming for public school student in grades 8 through 12 using existing resources.

Local Effect: Beginning in FY 2026, local school system expenditures increase significantly, likely by hundreds of thousands of dollars, to implement a course on water safety and swimming in each public middle and high school. Costs are dependent on size of student population and local conditions, including pool availability. Some counties may incur capital costs to build pool facilities. To the extent local school systems partner with or use the facilities of local parks and recreation agencies, local parks and recreation agency revenues and expenditures may increase. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: With the advice of the State Superintendent of Schools, the State Board of Education (SBE) establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the regulations, bylaws, policies, and guidelines established by SBE, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction. Policies, rules, and regulations for the graduation of students from Maryland public schools are established by local boards of education and SBE.

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. Through the [Physical Education Framework: Prekindergarten through 12th Grade](#) local school systems can create grade-level outcomes and courses for water safety and/or swimming if there is access to a pool.

Local Expenditures: Overall, costs are dependent on the size of the student population and local conditions in each local school system, including the availability of pool facilities operated by local parks and recreations agencies and other public or private owners.

Assuming the required courses require in-water training for students, beginning in fiscal 2026 (2025-2026 school year), local school system expenditures increase significantly, likely by hundreds of thousands of dollars annually, to implement a course on water safety and swimming in each public middle and high school. For example, Anne Arundel County Public Schools (AACPS) estimates costs of \$1.2 million annually, which includes pool rental (\$126,360), bus transportation (\$1.0 million), and supplies such as life jackets and wet suits for instructors (\$15,000). Supply costs may be less (\$8,000) in future years. AACPS' estimate reflects costs for 1,650 students per semester: 3,300 students a year. In addition, Baltimore City Public Schools advises that not all students may have access to swim wear, and thus, financial assistance for students to purchase swim wear may be necessary.

Further, MSDE advises that many local school systems and schools do not have access to a nearby swimming facility. Thus, some local school systems may decide that capital costs to build pool facilities are necessary; however, such costs cannot be reliably estimated.

To the extent local school systems partner with or use the facilities of local parks and recreation agencies, local parks and recreation agency revenues and expenditures increase. AACPS advises that it pays \$18 per hour per lane for its swim team to use pool facilities. Any use by local school systems may reduce pool facilities available for other uses.

Costs may be less for local school systems that currently offer swimming programs or courses. For example, AACPS developed a “Water Ready Drownproofing Program” for fifth graders at their environmental center and Charles County Public Schools offers high school swimming and lifeguarding classes. However, as the AACPS program does not cover grades 8 through 12, it does not satisfy the bill’s requirements.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Department of Natural Resources; Baltimore City Public Schools; Anne Arundel County Public Schools; Department of Legislative Services

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