

Department of Legislative Services  
Maryland General Assembly  
2024 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1485  
Ways and Means

(Delegate Toles)

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**Public Schools - Water Safety and Swimming Course - Established**

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This bill requires, by July 1, 2025, the State Board of Education (SBE) to develop curriculum content standards for a course on water safety and swimming for public school students in kindergarten through grade 12. Beginning in the 2026-2027 school year, each local school system must implement a course on water safety and swimming in each public school. A local board may award an elective physical education credit to students for successful completion of the course. A public school may partner with a local parks and recreation agency to provide access to the necessary water and swimming facilities. SBE may adopt regulation to implement the bill. **The bill takes effect July 1, 2024.**

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**Fiscal Summary**

**State Effect:** The Maryland State Department of Education (MSDE) can develop content standards for a course on water safety and swimming for public school student in kindergarten through grade 12 using existing resources.

**Local Effect:** Beginning in FY 2027, local school system expenditures increase significantly, potentially by hundreds of thousands or millions of dollars, to implement a course on water safety and swimming in each public school. Costs are dependent on the scope of the programs, the size of student populations, 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 may increase. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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## Analysis

**Current Law:** With the advice of the State Superintendent of Schools, 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. MSDE advises that local school system may be substantially impacted fiscally and operationally to develop age-appropriate and research-based new curricula, revise student schedules, acquire or access swimming facilities and/or transportation to/from those facilities, hire and/or train new staff (certified lifeguards, swim instructors, and pool operators), and purchase equipment to implement the new courses. However, costs cannot be reliably estimated.

Assuming the required courses require in-water training for students, beginning in fiscal 2027 (2026-2027 school year), local school system expenditures increase significantly, likely by hundreds of thousands or millions 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 \$21 million annually, which includes classroom teachers (\$10.4 million), bus transportation (\$4.8 million) water safety instructors (\$4.4 million), program managers (\$258,000), pool rental (\$909,800) and supplies (\$25,000) such as life jackets and wet suits for instructors (\$15,000). Supply costs may be less (\$15,000) in future years. AACPS' estimate reflects costs for 46,800 students a year using the pool once a week and a ratio of one instructor to six students. However, implementation choices such as less pool time may *significantly* reduce associated costs.

In addition, for a prior year introduction of a similar bill, Baltimore City Public Schools advised that not all students may have access to swim wear, and thus, financial assistance for students to purchase swim wear may be necessary.

Baltimore County Public Schools advises that they have no pools in their system; and pool access is very expensive.

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 fully cover kindergarten through grade 12, it does not satisfy the bill’s requirements.

To the extent that the bill is interpreted to not require in-water training, costs may be limited to curriculum development, which Prince George’s County Public Schools estimates to be a one-time cost of \$48,800.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has been introduced within the last three years. See HB 1105 of 2023.

**Designated Cross File:** None.

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

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Analysis by: Caroline L. Boice

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