

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1127
Ways and Means

(Delegate Toles, *et al.*)

Public Schools - Water Safety and Swimming - Instructional Content, Plan, and Reporting

This bill requires each local board of education to develop water safety and swimming instructional content by July 1, 2026, and implement it during the 2026-2027 school year. The content must (1) be integrated into the health and physical education curriculum;(2) be age-appropriate for students in elementary, middle and high school; and (3) include opportunities for students with disabilities, if practicable. By December 1, 2025, each local board of education must develop a plan to provide public school students with access to swimming pools for swimming and water safety courses. Plans must be submitted to the Maryland State Department of Education (MSDE) by December 15, 2025, and MSDE must compile and submit the reports to the Maryland General Assembly by January 1, 2026. **The bill takes effect July 1, 2025, the plan requirement terminates June 30, 2026.**

Fiscal Summary

State Effect: None. MSDE can compile the local plans and submit them to the General Assembly using existing resources. Revenues are not affected.

Local Effect: Local school systems can likely develop the required plans using existing resources in FY 2026. 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 that includes access to swimming pools. 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.

Analysis

Bill Summary: The plans must:

- identify strategies to leverage public and private resources;
- identify potential community partnerships to provide swimming pool access during school hours;
- identify methods to increase access, including costs and transportation, while keeping costs low; and
- recommend policy or legal changes necessary to support the plan.

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.

MSDE advises that some students, due to their religious beliefs, may be prohibited from wearing a swimsuit in the presence of individuals of the opposite sex, while others may feel uncomfortable changing into or wearing swimming attire at all. Depending on implementation, these students may be faced with either violating their religious beliefs or failing to meet these physical education requirements, as regulations prohibit a local school system from waiving or substituting standards-based physical education programs.

Local Expenditures: Local school systems costs may increase minimally in fiscal 2026 to develop the required pool access plans; however, these costs are likely absorbable by most if not all systems.

Overall, costs to implement the water safety and swimming courses 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. For similar bills in past years, MSDE advised 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 instruction in each public school. For example, Anne Arundel County Public Schools (AACPS) estimates costs of \$18 million annually, which includes classroom teachers (\$8.8 million), bus transportation (\$5.5 million), water safety instructors (\$777,600), pool rental (\$2.5 million), program managers (\$288,400), 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 118 schools and a ratio of one instructor to six students. Likewise, Montgomery County Public Schools estimates costs of at least \$21.3 million annually. 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 it has no pools in its 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. In 2024, AACPS advised 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](#)" for fifth graders and Charles County Public Schools offers high school swimming and lifeguarding classes. However, as the AACPS program does not fully cover elementary, middle and high schools, it does not satisfy the bill's requirements.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1485 of 2024 and HB 1105 of 2023.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 27, 2025
km/mcr

Analysis by: Caroline L. Boice

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