

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1127

Ways and Means

(Delegate Toles, *et al.*)

Education, Energy, and the Environment

Public Schools - Water Safety - Instructional Content

This bill requires each local board of education to develop water safety instructional content by July 1, 2026, and implement it during the 2026-2027 school year. The content must (1) be integrated into the health or physical education curriculum; (2) be age-appropriate for students in elementary, middle and high school; (3) offered at least once in elementary, middle, and high school; and (4) include opportunities for students with disabilities, if practicable. The bill may not be construed to require a local board of education to provide in-water training at a swimming pool. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: While the bill does not explicitly mandate updates to the State's health or physical education standards and frameworks, the Maryland State Department of Education (MSDE) anticipates making such updates voluntarily as part of its established responsibilities. These updates can be completed using existing resources; however, MSDE may need to temporarily divert resources from other activities.

Local Effect: Local school systems expenditures may increase minimally in FY 2026 to develop water safety instructional content. However, costs are likely absorbable by many local school systems, as discussed below. Expenditures in FY 2027 and beyond are likely minimal to implement the content.

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.

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: Each local school system must develop and implement water safety instructional content in the health or physical education curriculum by the 2026-2027 school year. Costs will vary by jurisdiction depending on existing curriculum and professional development needs. However, the costs associated with curriculum development are likely absorbable by most local school systems, though costs for some systems may increase minimally. Ongoing costs in fiscal 2027 and beyond are likely minimal.

Anne Arundel County Public Schools (AACPS) estimates a total cost of \$71,775 in fiscal 2026 to update curriculum materials and provide professional development for teachers in preparation for implementation. Costs are distributed equally across elementary, middle, and high school levels. Although AACPS developed a “[Water Ready](#)” program for fifth graders, the program does not fully cover elementary, middle, and high school students and, therefore, does not satisfy the bill’s requirements. Baltimore County Public Schools estimates costs of \$10,000 to \$15,000 in fiscal 2026 to develop curriculum materials at the elementary, middle, and high school levels.

Wicomico County Public Schools reports no anticipated impact on its budget or operations.

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

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