

**HB0438/203026/2**

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 438  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “requiring the State Department of Education to adopt certain regulations that require any teaching materials used by a teacher in a certain manner in a public elementary school that include or reference same-sex relationships to provide a certain notice to a parent or guardian of a child attending the school; requiring certain regulations to allow a certain child to be excused from certain instruction under certain circumstances; requiring certain schools to provide certain children with certain learning materials; providing that a child who is excused from certain instruction may not be academically penalized as a result of being excused.”.

On page 2, after line 10, insert:

“BY adding to

Article – Education

Section 7-401(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“Article – Education

7-401.

**(D) (1) THE STATE DEPARTMENT OF EDUCATION SHALL ADOPT REGULATIONS THAT REQUIRE ANY TEACHING MATERIALS USED BY A TEACHER**

(Over)

FOR THE APPROVED CURRICULUM IN A PUBLIC ELEMENTARY SCHOOL THAT INCLUDES OR REFERENCES SAME-SEX RELATIONSHIPS SHALL BE MADE AVAILABLE FOR INSPECTION BY A PARENT OR GUARDIAN OF A CHILD WHO ATTENDS THE PUBLIC SCHOOL.

(2) (i) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL ALLOW A CHILD TO BE EXCUSED FROM ANY INSTRUCTION THAT ADDRESSES SAME-SEX RELATIONSHIPS ON WRITTEN REQUEST OF THE PARENT OR GUARDIAN OF THE CHILD.

(ii) THE SCHOOL SHALL PROVIDE AN EXCUSED CHILD WITH APPROPRIATE LEARNING ACTIVITIES.

(iii) A CHILD WHO IS OFFICIALLY EXCUSED FROM INSTRUCTION THAT ADDRESSES SAME-SEX RELATIONSHIPS MAY NOT BE ACADEMICALLY PENALIZED IN ANY WAY AS A RESULT OF BEING EXCUSED.”.