

**TO:** House Ways and Means Committee

**BILL:** House Bill (HB) 161 - Primary and Secondary Education - Comprehensive Health Education Framework – Established

**DATE:** January 29, 2025

**POSITION:** Oppose

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The Maryland State Board of Education (State Board) and Maryland State Department of Education (MSDE) respectfully oppose **HB 161** (Primary and Secondary Education - Comprehensive Health Education Framework – Established), which would require the State Board, in consultation with the Maryland Department of Health (MDH), to develop and include specific topics in a Comprehensive Health Education Framework, require local education agencies (LEAs) to develop opt-out policies, guidelines, and procedures for instruction on family life and human sexuality and beginning on or by June 15, 2026, and annually thereafter, and require LEAs to submit a report to MSDE on their actions related to implementing the Comprehensive Health Education Framework.

We do not oppose the bill based on the merits of the proposed subject matter but on the grounds that the legislative requirement would be duplicative of current regulatory requirements and run counter to the process entrusted to the State Board and MSDE.

While MSDE supports the fundamental principles outlined in the bill's requirements and is strident in ensuring that the development of curricular standards and frameworks is conducted through the longstanding collaborative process between the State Board, MSDE, local education agencies, community partners, and, in this instance, MDH.

On January 23, 2024, the State Board and MSDE developed a process to review, revise, and adopt standards and frameworks, including the existing Comprehensive Health Education Framework. In alignment with the national health education standards, the established [Comprehensive Health Education Framework](#) includes all eight topics identified in the bill in an age-appropriate, scientifically based, medically accurate, and data-driven way, as required in this bill.

Additionally, existing Code of Maryland Regulations (COMAR) 13A.04.18.01 requires LEAs to establish policies, guidelines, and/or procedures for student opt-out regarding instruction related to family life and human sexuality objectives, which includes gender identity and expression and sexual orientation and identity.

Further, COMAR 13A.04.18.02 requires local superintendents to certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten through 12 meets, at a minimum, the requirements of the comprehensive health education framework.

MSDE, in partnership with a diverse cross-section of Maryland citizens, including parents, teachers, local education agency leaders, and associated content experts, is actively reviewing the state standards and frameworks related to this subject. In this process, MSDE will be certain to include members of the public and our critical partners in the General Assembly.

We respectfully request that you consider this information as you deliberate **HB 161**. Please contact Akilah Alleyne, Ph.D. [akilah.alleyne@maryland.gov](mailto:akilah.alleyne@maryland.gov), Executive Director of Government Affairs, for any additional information.