

HOUSE BILL 1135

F2

7lr2040

By: **Delegate McDonough**

Introduced and read first time: February 9, 2017

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education – Instructors – Expressions of Opinion**

3 FOR the purpose of requiring certain instructors to teach certain courses in a certain
4 manner that does not reflect the instructor’s personal philosophical agenda, bias, or
5 political opinion; requiring certain public institutions of higher education to establish
6 an Office of the Ombudsman; providing for the responsibilities and duties of the
7 Office; providing for the construction of this Act; defining a certain term; and
8 generally relating to the prohibition against expressing a personal philosophical
9 agenda, bias, or political opinion by instructors at public institutions of higher
10 education.

11 BY adding to
12 Article – Education
13 Section 15–118
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2016 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Education**

19 **15–118.**

20 (A) IN THIS SECTION, “COURSE” MEANS INSTRUCTION RELATED TO CIVICS,
21 HISTORY, GOVERNMENT, SOCIAL STUDIES, OR POLITICAL SCIENCE.

22 (B) AN INSTRUCTOR OF A COURSE AT A PUBLIC INSTITUTION OF HIGHER
23 EDUCATION SHALL TEACH THE COURSE IN A FAIR AND BALANCED MANNER THAT

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 MAY NOT REFLECT THE INSTRUCTOR'S PERSONAL PHILOSOPHICAL AGENDA, BIAS,
2 OR POLITICAL OPINION.

3 (C) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ESTABLISH
4 AN OFFICE OF THE OMBUDSMAN.

5 (1) THE OFFICE OF THE OMBUDSMAN SHALL REVIEW COMPLAINTS
6 AND ASSIST STUDENTS WHO HAVE CONCERNS REGARDING THE PHILOSOPHICAL
7 AGENDA, BIAS, OR POLITICAL OPINION EXPRESSED IN THE CLASSROOM BY AN
8 INSTRUCTOR IN VIOLATION OF SUBSECTION (B) OF THIS SECTION.

9 (2) THE OFFICE OF THE OMBUDSMAN SHALL BE INDEPENDENT AND
10 IMPARTIAL.

11 (3) ALL COMMUNICATIONS WITH THE OFFICE OF THE OMBUDSMAN
12 SHALL BE CONFIDENTIAL.

13 (D) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO INFRINGE ON
14 SPEECH THAT IS PROTECTED UNDER THE FIRST AMENDMENT TO THE UNITED
15 STATES CONSTITUTION, OR ARTICLE 40 OF THE MARYLAND DECLARATION OF
16 RIGHTS.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2017.