

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 138
Ways and Means
(Delegate Johnson)

**Education - Sexual Abuse and Assault Awareness and Prevention Program -
Human and Sex Trafficking**

This bill requires that the age-appropriate education program on the awareness and prevention of sexual abuse and assault developed and implemented by the State Board of Education (SBE) and each nonpublic school include, for students in grades 6 through 8, material promoting the awareness and prevention of human and sex trafficking. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: None. The Maryland State Department of Education can develop the required program using existing resources.

Local Effect: Local school systems can provide instruction on the awareness and prevention of human and sex trafficking grades 6 through 8 using existing resources; however, resources may be diverted from existing health curriculum requirements.

Small Business Effect: None.

Analysis

Current Law: Each local school system must (1) provide in public schools a comprehensive health education program with sufficient frequency and duration to meet the requirements of the State curriculum for all students in prekindergarten through grade 8 and (2) offer in public schools a comprehensive health education program in grades 9 through 12 that enables students to meet graduation requirements and to select

health education electives. Access to the curriculum must be provided for nondiploma-bound students.

In order to graduate from a public high school in Maryland, students must complete a half credit of health.

State law requires local school systems to teach a number of specified health topics including drug addiction and prevention education; awareness and prevention of sexual abuse and assault; and cardiopulmonary resuscitation (CPR) that includes hands-only CPR and the use of an automated external defibrillator.

State regulations require health instruction in the following topics: mental and emotional health; alcohol, tobacco, and other drugs; personal and consumer health; family life and human sexuality; safety and injury prevention; nutrition and fitness; and disease prevention and control.

Awareness and Prevention of Sexual Abuse

SBE and each nonpublic school must develop and implement a program of age-appropriate education on the awareness and prevention of sexual abuse and assault. The program must be taught by a teacher who is trained to provide the instruction on the awareness and prevention of sexual assault and incorporated into the health curriculum of each local board of education and each nonpublic school.

“Nonpublic school” is specified to mean a noncollegiate educational institution that holds a certificate of approval from SBE and participates in the State’s Nonpublic Schools Textbook and Technology Grants program.

New Health Education Standards

New health education standards were adopted by SBE in December 2019; the [Maryland State Framework for Comprehensive Health Education](#) was revised and posted in July 2020. The grade 7 standards require students to analyze laws, policies, and consequences related to sexual mistreatment, grooming, harassment, abuse, assault, exploitation, and *human trafficking* that are designed to protect young people. The indicators for grades 6 and 8 do not explicitly include the words “human and sex trafficking”; however, the words sexual mistreatment, grooming, harassment, abuse, assault, exploitation, and boundary violations were selected by the committee to represent age-appropriate instruction on abuse, assault, and exploitation for those grades.

Additional Comments: Specified nonpublic school expenditures increase minimally to develop and implement a program of age-appropriate education that includes for students

in grades 6 through 8 material promoting the awareness and prevention of human sex trafficking and to train teachers to deliver the program. A cost estimate cannot be reliably determined; however, it is assumed that the costs to develop and implement a program that meets the requirements of the bill are minimal.

Additional Information

Prior Introductions: HB 575 of 2020 received a hearing in the House Ways and Means Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2021
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