SENATE BILL 888

By: Senator Lee
Introduced and read first time: February 7, 2022
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Education – American Studies and Social Equity Standards Advisory Board – Academic Standards and Model Policy

FOR the purpose of establishing the American Studies and Social Equity Standards Advisory Board within the State Department of Education; requiring the Advisory Board to review and develop recommendations for academic standards for American studies in public schools in the State and to develop a model policy on ethnic and social equity in schools; requiring the State Board of Education to adopt American studies academic standards on or before a certain date; requiring each county board of education to adopt a certain policy and implement a curriculum for an American studies course based on certain standards on or before the start of a certain school year; and generally relating to the American studies academic standards and curriculum and ethnic and social equity model policy.

BY adding to
Article – Education
Section 7–129
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

7–129.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
(2) “Advisory Board” means the American Studies and Social Equity Standards Advisory Board.

(3) “American studies” means the examination of American history and culture from multiple perspectives, including the perspectives of various cultural, social, and ethnic groups.

(4) (i) “Ethnic group” means a nondominant racial or ethnic group in the United States.

(ii) “Ethnic group” includes groups of individuals who identify as indigenous and individuals of African, Asian, Pacific Island, Hispanic, Latino, or Middle Eastern descent.

(5) “Social group” includes women, individuals with disabilities, immigrants, refugees, and individuals who identify as lesbian, gay, bisexual, transgender, queer, questioning, intersex, or asexual.

(B) There is an American Studies and Social Equity Standards Advisory Board in the Department.

(C) (1) The Advisory Board consists of the following members:

(i) The State Superintendent of Schools, or the State Superintendent’s designee;

(ii) An Assistant Attorney General in the Office of the Attorney General with expertise working with the Department on racial and social justice issues in schools, appointed by the Attorney General;

(iii) The Executive Director of the Maryland State Education Association, or the Executive Director’s designee;

(iv) The Executive Director of the Maryland Association of Boards of Education, or the Executive Director’s designee;

(v) The Executive Director of the Public School Superintendents’ Association of Maryland, or the Executive Director’s designee;
(VI) A REPRESENTATIVE FROM THE MARYLAND ASSOCIATION
OF ELEMENTARY SCHOOL PRINCIPALS WITH EXPERTISE IN THE DEVELOPMENT OF
SCHOOL CURRICULUM, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
ASSOCIATION;

(VII) A REPRESENTATIVE FROM THE MARYLAND ASSOCIATION
OF SECONDARY SCHOOL PRINCIPALS WITH EXPERTISE IN THE DEVELOPMENT OF
SCHOOL CURRICULUM, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
ASSOCIATION; AND

(VIII) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE
FOLLOWING MEMBERS APPOINTED BY THE DEPARTMENT, IN CONSULTATION WITH
THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION:

1. A REPRESENTATIVE FROM THE NATIVE AMERICAN
   COMMUNITY;

2. A REPRESENTATIVE FROM THE BLACK AND AFRICAN
   AMERICAN COMMUNITY;

3. A REPRESENTATIVE FROM THE HISPANIC AND
   LATINO COMMUNITY;

4. A REPRESENTATIVE FROM THE DISABILITY RIGHTS
   COMMUNITY;

5. A REPRESENTATIVE FROM THE LESBIAN, GAY,
   BISEXUAL, TRANSGENDER, QUEER, QUESTIONING, INTERSEX, OR ASEXUAL
   COMMUNITY;

6. A REPRESENTATIVE FROM THE ASIAN AND PACIFIC
   ISLANDER COMMUNITY;

7. A REPRESENTATIVE FROM THE MIDDLE EASTERN
   COMMUNITY; AND

8. A MARYLAND–BASED, COLLEGE–LEVEL FACULTY
   EXPERT IN AMERICAN STUDIES.

(2) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND
ASSOCIATION OF BOARDS OF EDUCATION, SHALL DEVELOP AN APPLICATION
PROCESS FOR INDIVIDUALS SEEKING APPOINTMENT TO THE ADVISORY BOARD AS A
REPRESENTATIVE OF AN ETHNIC OR SOCIAL GROUP IDENTIFIED UNDER
PARAGRAPH (1)(VIII) OF THIS SUBSECTION.

(3) AT LEAST 80% OF THE MEMBERS OF THE ADVISORY BOARD IDENTIFIED UNDER PARAGRAPH (1)(VIII) OF THIS SUBSECTION SHALL:

   (I) TO THE EXTENT POSSIBLE, REFLECT THE GEOGRAPHIC DIVERSITY OF THE STATE; AND

   (II) HAVE A BACKGROUND IN ADVOCACY FOR THE ETHNIC OR SOCIAL GROUP THE MEMBER REPRESENTS.

(4) (I) A VACANCY ON THE ADVISORY BOARD SHALL BE FILLED IN THE SAME MANNER THE VACATED MEMBER WAS APPOINTED OR SELECTED.

   (II) A MEMBER FILLING A VACANCY SHALL REPRESENT THE SAME ETHNIC GROUP OR SOCIAL GROUP THAT WAS REPRESENTED BY THE VACATED MEMBER.

(D) (1) THE ADVISORY BOARD SHALL SELECT A CHAIR FROM AMONG ITS MEMBERS.

(2) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE ADVISORY BOARD.

(3) A MEMBER OF THE ADVISORY BOARD:

   (I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY BOARD; BUT

   (II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(E) THE ADVISORY BOARD SHALL:

(1) IDENTIFY EXISTING STATE ACADEMIC STANDARDS IN UNITED STATES HISTORY THAT DO NOT INCORPORATE THE HISTORY, CONTRIBUTIONS, AND PERSPECTIVES OF ETHNIC GROUPS AND SOCIAL GROUPS;

(2) DEVELOP AMERICAN STUDIES ACADEMIC STANDARDS FOR STUDENTS AT EACH GRADE LEVEL THAT:

   (I) INCREASE ATTENTION TO THE HISTORY, CONTRIBUTIONS,
AND PERSPECTIVES OF ETHNIC GROUPS AND SOCIAL GROUPS IN THE UNITED STATES;

(II) PROMOTE CRITICAL THINKING REGARDING THE HISTORY, CONTRIBUTIONS, AND PERSPECTIVES OF ETHNIC GROUPS AND SOCIAL GROUPS IN THE UNITED STATES;

(III) INCREASE THE CULTURAL COMPETENCY OF STUDENTS; AND

(IV) ELIMINATE PATHWAYS TO RACIAL BIAS IN CURRICULUM;

(3) RECOMMEND CONTENT AND INSTRUCTIONAL METHODS THAT ENABLE STUDENTS TO SAFELY EXPLORE QUESTIONS OF IDENTITY, RACE, EQUALITY, AND RACISM IN AMERICAN STUDIES COURSES; AND

(4) RECOMMEND BASIC CURRICULUM AND EXTRACURRICULAR PROGRAMS THAT MAY BE OFFERED IN SCHOOLS THAT:

(I) ARE WELCOMING TO ALL STUDENTS; AND

(II) TAKE INTO ACCOUNT PARENTAL CONCERNS ABOUT RELIGION OR CULTURE.

(F) (1) THE ADVISORY BOARD SHALL DEVELOP A MODEL POLICY ON ETHNIC AND SOCIAL EQUITY IN SCHOOLS.

(2) THE MODEL POLICY DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE MINIMUM STANDARDS FOR A SCHOOL ENVIRONMENT THAT:

(I) PROMOTE AN OVERARCHING FOCUS AND PARTICIPATION IN THE RACIALLY, CULTURALLY, AND SOCIALLY DIVERSE GLOBAL COMMUNITY;

(II) ENSURE THAT EVERY STUDENT HAS A SAFE, SECURE, AND WELCOMING LEARNING AND SOCIAL ENVIRONMENT IN WHICH ACTS OF IMPLICIT OR EXPLICIT RACIAL, SEXUAL ORIENTATION, GENDER, CULTURAL, OR ABILITY BIAS ARE ACKNOWLEDGED AND ADDRESSED APPROPRIATELY;

(III) CHALLENGE RACIST, SEXIST, GENDER, OR ABILITY ASSUMPTIONS, ATTITUDES, AND BEHAVIORS WHEN THEY OCCUR USING PRINCIPLES AND PRACTICES OF RESTORATIVE JUSTICE METHODS;
(IV) PROVIDE PARENTS WITH A WELCOMING WAY TO RAISE CONCERNS ABOUT THEIR CHILD’S EXPERIENCES RELATING TO RACE OR SOCIAL IDENTITY AT SCHOOL;

(V) ENSURE THAT ALL SCHOOL PERSONNEL ARE TRAINED ON BEST PRACTICES FOR ADDRESSING RACIAL INCIDENTS;

(VI) PROHIBIT CONDUCT BASED ON RACISM, SEXISM, ABLEISM, AND OTHER SOCIAL BIASES, AND SPECIFY THE APPROPRIATE MANNER TO ADDRESS ALLEGED MISCONDUCT, INCLUDING DISCIPLINARY ACTION, IF APPROPRIATE; AND

(VII) ENSURE THAT ALL SCHOOL PERSONNEL ARE TRAINED ON BEST PRACTICES FOR ADDRESSING RACIAL INCIDENTS;

(3) ON OR BEFORE APRIL 30, 2024, THE ADVISORY BOARD SHALL SUBMIT THE MODEL POLICY TO THE STATE BOARD AND EACH COUNTY BOARD.

(II) BEFORE THE 2025–2026 SCHOOL YEAR, EACH COUNTY BOARD SHALL ADOPT A POLICY ON ETHNIC AND SOCIAL EQUITY IN SCHOOLS THAT TAKES INTO CONSIDERATION THE POLICY ADOPTED BY THE ADVISORY BOARD.

(G) (1) ON OR BEFORE APRIL 30, 2024, THE ADVISORY BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT THAT INCLUDES:

(I) THE AMERICAN STUDIES ACADEMIC STANDARDS RECOMMENDED BY THE ADVISORY BOARD;

(II) ANY ADDITIONAL AMERICAN STUDIES CONTENT, BASIC CURRICULUM, AND EXTRACURRICULAR PROGRAMS RECOMMENDED UNDER SUBSECTION (E) OF THIS SECTION; AND

(III) THE MODEL POLICY ON ETHNIC AND SOCIAL EQUITY IN SCHOOLS.

(2) ON OR BEFORE MAY 31, 2025, THE STATE BOARD SHALL ADOPT AMERICAN STUDIES ACADEMIC STANDARDS FOR EACH GRADE LEVEL, TAKING INTO CONSIDERATION THE AMERICAN STUDIES ACADEMIC STANDARDS RECOMMENDED BY THE ADVISORY BOARD UNDER SUBSECTION (E) OF THIS SECTION.

(3) BEFORE THE START OF THE 2025–2026 SCHOOL YEAR, EACH COUNTY BOARD SHALL IMPLEMENT A CURRICULUM BASED ON THE AMERICAN
STUDIES ACADEMIC STANDARDS ADOPTED BY THE STATE BOARD.

(H) ON OR BEFORE DECEMBER 31, 2025, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE AMERICAN STUDIES ACADEMIC STANDARDS ADOPTED BY THE STATE BOARD AND THE IMPLEMENTATION OF THE AMERICAN STUDIES ACADEMIC STANDARDS AND THE ETHNIC AND SOCIAL EQUITY POLICY ADOPTED BY COUNTY BOARDS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022. It shall remain effective for a period of 4 years and, at the end of June 30, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.