

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 364
(Senator Simonaire)
Education, Health, and Environmental Affairs

Anne Arundel County - Board of Education - Parent's Right to Challenge Curriculum Act

This emergency bill allows the parent or legal guardian of a student in an Anne Arundel County public school to challenge the use of a course curriculum taught in a public school via a petition filed with the Anne Arundel County Board of Education. If the county board deems a petition sufficient as specified, the county board must schedule a public hearing within a reasonable amount of time. By majority vote during an open meeting of the county board held within two weeks of the public hearing, the county board must make a final determination on whether to continue using, modify, or remove the curriculum in question. The county board must adopt regulations to implement the bill, publish a plain language summary of the regulations on the board's website, and provide written notice to parents or guardians of each public school student in the county within 30 days after the first day of class.

Fiscal Summary

State Effect: None.

Local Effect: Anne Arundel County Public Schools can comply with the bill's requirements with existing resources. The bill does not require that the Anne Arundel County Board of Education modify or remove the curriculum under review by a petition. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary:

Petition

For a petition filed with the county board to be deemed sufficient, it must contain an information page (1) describing the subject and purposes of the petition; (2) identifying the sponsor and providing the sponsor's contact information; and (3) containing information relating to requirements for signatures contained in the petition. The petition must also contain signature pages containing a number of signatures of parents or guardians equal to at least 3% of the student population of Anne Arundel County Public Schools. The total student population is as determined by the school superintendent on September 30 of the school year during which the petition is being circulated. Petition signatures are only valid if the individual is a parent or legal guardian of a student enrolled in a public school in Anne Arundel County.

Board Hearing Requirements

Once the county board determines that the petition has satisfied all requirements established by law, the county board must accept the petition and schedule a hearing within 45 days. At the hearing, members of the public must have an opportunity to testify, and the county superintendent or other appropriate administrator must have the opportunity to explain and defend the curriculum.

Current Law: The Anne Arundel County Public Schools Division of Curriculum and Instruction designs and develops curriculum, assessments, and instructional strategies for the school system. More information on instruction and curriculum development can be found on the school system's [website](#). Anne Arundel County Public Schools further advises that, while no formal process is in place for a parent to challenge a curriculum, parents do sit on "Curriculum Committees," which are formed each summer as part of the curriculum development process. Additionally, parents may sit on committees to review materials of instruction once adopted and implemented in the school system each school year.

Development of Public School Curriculum

With the advice of the State Superintendent of Schools, the State Board of Education establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the regulations, bylaws, policies, and guidelines established by the State Board of Education, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction. Policies, rules, and regulations

for the graduation of students from Maryland public schools are established by local boards of education and the State Board of Education.

Each local superintendent of schools must periodically certify to the State Superintendent that its program of instruction meets specified minimum criteria in specified subjects, including technology education, financial literacy, gifted and talented education, social science, career development, world languages, mathematics, physical education, and language arts/literacy.

Under the Blueprint for Maryland's Future (Chapter 36 of 2021), the Maryland State Department of Education (MSDE), in consultation with experienced teachers, must develop specified curriculum standards and curriculum resources that include specified elements and meet specified standards, for each subject at each grade level, that build on one another in logical sequence in core subjects. MSDE must submit the curriculum resources and curriculum standards developed to the State Board of Education for adoption.

Using specified assessments in specified core subjects, the State Board of Education must identify low-performing schools. If MSDE, based on a recommendation by the Expert Review Team, determines that a low-performing school's performance is largely due to curricular problems, then the school must use the model curriculum. Otherwise, local school systems and public schools are not required to adopt the curriculum standards and resources developed by MSDE. More information on MSDE's role in the curriculum development process can be found on its [website](#).

Local Expenditures: The Anne Arundel County Board of Education can adopt regulations, publish a plain language summary of regulations, provide notice to parents or guardians, review petitions to the county board, hold public meetings, and make final determinations on any petitions with existing resources.

Anne Arundel County Public Schools advises that, if the county board determines that an existing curriculum must be modified or replaced, expenditures may significantly increase. The school system estimates that revision or re-development of a curriculum could cost anywhere between \$10,000 and \$6 million depending on the grade level, content area, and amount of revision required. For example, the removal of one resource associated with a curriculum (an article, video, *etc.*) requires a very different level of resources compared to redesigning an entire course. The school system notes that developing a curriculum in accordance with State guidelines is a large undertaking. Revision or re-development of a curriculum requires teachers and central office staff to work together with stakeholders to design new curricular materials. Once a new or revised curriculum is developed, it must be accompanied by a professional development course and vetted by teachers on a large scale, all of which requires significant resources.

Any additional costs resulting from removing or modifying a course curriculum would be dependent on the action taken by the Anne Arundel County Board of Education. The bill does not require the county board to modify or remove any coarse curriculum under review by a petition.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Anne Arundel County Public Schools; Department of Legislative Services

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