

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1256
Ways and Means

(Delegate Chisholm, *et al.*)

Education - Discriminatory Concepts in Instruction - Prohibition (Ending
Discrimination in Public Education Act of 2022)

This bill prohibits a teacher, an administrator, or any other employee of a public school or a nonpublic school that receives State funds from including any of specified discriminatory concepts in a unit of instruction. The State Board of Education (SBE) must adopt regulations to implement the bill. **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: SBE can adopt regulations using existing resources. Revenues are not affected.

Local Effect: Local school systems expenditures are not materially affected. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: Specifically, the following may not be included in a unit of instruction:

- one race or sex is inherently superior to another race or sex;
- an individual, because of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or subconsciously;
- an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex;

- members of one race or sex cannot, and should not, attempt to treat others without respect to race or sex;
- an individual's moral character is necessarily determined by the individual's race or sex;
- an individual, because of the individual's race or sex, bears responsibility for actions committed in the past by other individuals of the same race or sex;
- an individual should feel discomfort, guilt, anguish, or any other form of psychological distress solely because of the individual's race or sex; or
- meritocracy or such traits, such as having a hard work ethic, are racist or sexist or were created by members of a particular race to oppress members of another race.

Current Law: With the advice of the State Superintendent of Schools, SBE 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 SBE, 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 SBE.

Curriculum is often divided into units of study. There is no State definition for what constitutes a unit of study in terms of time or content. However, units generally range for two to six weeks, although they could be shorter.

Educational Equity

According to regulations, all local school systems, the Maryland State Department of Education (MSDE), and entities that provide educational services to children birth to age 21, including licensed childcare facilities and programs, must follow the educational equity regulations. MSDE must establish systems of structure and support for school systems, students, teachers, and other stakeholders that ensure educational equity and excellence. Each local school system must develop an educational equity policy and regulations, to be reviewed every three years, with the goal of providing educational equity to all students. The policy and regulations must include specified elements.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Commission on Civil Rights; Maryland State Department of Education; Baltimore City Public Schools; Prince George's County Public Schools; Department of Legislative Services

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km/mcr

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