

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1202
Ways and Means

(Delegate Miller, *et al.*)

Public Schools - Curriculum and Instructional Materials

This bill requires a public school to prominently post on its website (1) all curriculum, including specified instructional materials, that was used at the school during the immediately preceding school year; (2) each gradewide or schoolwide presentation, assembly, lecture, or other activity or event facilitated by the school during instructional hours; (3) information on how the school documents, reviews, and approves curriculum; and (4) the rules established by the local board of education for the production and inspection of instructional materials that are not publicly available on the Internet. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: None. The Maryland State Department of Education (MSDE) may choose to adopt regulations using existing resources.

Local Effect: Local school system expenditures increase, potentially meaningfully, in FY 2024 and potentially beyond to post curriculum and other documentation, as described below. Revenues are not affected. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The requirements of the bill do not apply to a student presentation.

At a minimum, the curriculum must identify and describe the instructional materials as specified. If the materials are publicly available on the Internet, the curriculum must include a link or information on how to request the materials. A single volume used throughout the curriculum must be listed only once.

At a minimum, the information that must be published on a school's website, including the curriculum, must be organized by subject area and grade level. A public school must post curriculum and school presentations on the school's website for at least 60 days after the end of the school year. This information must be retained for two years after posting.

Each local board of education must (1) ensure that each public school complies with the requirements of the bill and (2) adopt reasonable rules that govern the timely production and inspection of instructional material that is not publicly available on the Internet.

MSDE, in consultation with local boards of education, may adopt regulations to implement the bill.

Current Law: With the advice of the State Superintendent of Schools, the State Board of Education (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.

The State Standards and Frameworks defines what students should know and be able to do at each grade level. Using the standards and frameworks, local school systems develop curriculums. Teachers then develop lesson plans to teach the curriculum. In response to a similar bill in 2022, several local school systems advised that standards, scopes, sequences, and curriculums are posted on their websites. Further, Baltimore County Public Schools advised in 2022 that members of the public can request a review of instructional material.

Local Expenditures: Beginning with the 2023-2024 school year, each public school must post on its website specified information, including curriculum and instructional materials that were used at the school during the immediately preceding school year. The teacher and administrative time to post the curriculum and instructional materials in the detail and format required by the bill may be meaningful, especially in the first year of implementation (fiscal 2024). In that first year, teachers and administrators must be trained how to post the curriculum and instructional materials. In future years, existing postings of curriculum and instructional materials may be used as a template, which may reduce, although not eliminate, the time required to meet the requirements of the bill.

Although local school systems will likely direct teachers and administrators to use existing planning and training time to post the curriculums and instructional materials, some local school systems may need to pay teachers and administrators for additional hours, especially for the initial training and posting of curriculums and instructional materials in fiscal 2024. To the extent local school systems require additional work hours, local school system expenditures increase, potentially meaningfully; however, any such costs cannot be reliably estimated. Any time used to meet the requirements of the bill will reduce time spent on existing teacher and administrator responsibilities, planning, and training.

Further, although every local school system has a website and most schools have a website, local school systems may need to invest in technology to efficiently host and organize all the curriculum and other information required to be posted by the bill. Depending on the technological solutions chosen, costs may be one-time and/or ongoing. These costs cannot be reliably estimated but may be meaningful.

Thus, overall local school system expenditures increase, potentially meaningfully, in fiscal 2024 to post the curriculum and other required documentation. Costs likely diminish but continue in fiscal 2025 and beyond. Although costs may be meaningful, they depend on implementation choices and cannot be reliably estimated.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 758 of 2022.

Designated Cross File: None.

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

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km/mcr

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