

Chapter 245

(House Bill 161)

AN ACT concerning

~~Primary and Secondary Education – Comprehensive Health Education Framework – Established~~
County Boards of Education – Curriculum Guides and Courses of Study – Discrepancies

FOR the purpose of requiring ~~the State Department of Education, in collaboration with the Maryland Department of Health, to develop a comprehensive health education framework; requiring each county board of education to create an age appropriate curriculum that is consistent with the comprehensive health education framework; requiring each county board to establish policies, guidelines, and procedures for a parent or guardian to opt out of a certain topic for the parent’s or guardian’s student, subject to a certain prohibition and requirement; and generally relating to the establishment of a comprehensive health education framework in public schools.~~ each county board of education to adopt curriculum guides and courses of study aligned with content standards established by the State Department of Education; establishing a process for correcting discrepancies identified by the State Superintendent of Schools in a county board’s curriculum guides and courses of study, including the imposition of certain penalties; and generally relating to a county board of education’s curriculum guides and courses of study.

BY repealing and reenacting, with amendments,
Article – Education
Section ~~7-401~~ 4-111 and 7-202.1
Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

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

Article – Education

~~7-401.~~

- ~~(a) With the assistance of the county health department, each county board shall provide:~~
 - ~~(1) Adequate school health services;~~
 - ~~(2) Instruction in health education, including the importance of physical activity in maintaining good health; and~~

~~(3) A healthful school environment.~~

~~(b) The Department and the Maryland Department of Health jointly shall:~~

~~(1) Develop public standards and guidelines for school health programs;~~
and

~~(2) Offer assistance to the county boards and county health departments in their implementation.~~

~~(c) (1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH, SHALL DEVELOP A COMPREHENSIVE HEALTH EDUCATION FRAMEWORK.~~

~~(2) THE DEPARTMENT SHALL UPDATE THE COMPREHENSIVE HEALTH EDUCATION FRAMEWORK IN THE MANNER AND AT THE TIME THE STATE BOARD DETERMINES IS NECESSARY.~~

~~(3) THE COMPREHENSIVE HEALTH EDUCATION FRAMEWORK SHALL, AT A MINIMUM, INCLUDE THE FOLLOWING TOPICS:~~

~~(i) HEALTH PROMOTION;~~

~~(ii) MENTAL AND EMOTIONAL HEALTH;~~

~~(iii) SUBSTANCE ABUSE PREVENTION;~~

~~(iv) FAMILY LIFE AND HUMAN SEXUALITY;~~

~~(v) GENDER IDENTITY AND SEXUAL ORIENTATION;~~

~~(vi) SAFETY AND VIOLENCE PREVENTION;~~

~~(vii) SAFE AND APPROPRIATE SOCIAL MEDIA AND INTERNET USE;~~

~~(viii) HEALTHY EATING; AND~~

~~(ix) DISEASE PREVENTION AND CONTROL.~~

~~(4) (i) EACH COUNTY BOARD SHALL CREATE AN AGE APPROPRIATE CURRICULUM THAT IS CONSISTENT WITH THE COMPREHENSIVE HEALTH EDUCATION FRAMEWORK.~~

~~(H) IN DEVELOPING A CURRICULUM UNDER THIS PARAGRAPH, EACH COUNTY BOARD SHALL ESTABLISH A COMMITTEE COMPOSED OF EDUCATORS, HEALTH EXPERTS, AND MEMBERS OF THE LOCAL COMMUNITY TO REVIEW AND COMMENT ON WHETHER CURRICULUM MATERIALS ARE CONSISTENT WITH THE COMPREHENSIVE HEALTH EDUCATION FRAMEWORK.~~

~~(5) (I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, EACH COUNTY BOARD SHALL ESTABLISH POLICIES, GUIDELINES, AND PROCEDURES FOR A PARENT OR GUARDIAN TO OPT OUT OF THE FAMILY LIFE AND HUMAN SEXUALITY TOPIC FOR THE PARENT'S OR GUARDIAN'S STUDENT IN EACH GRADE IN WHICH THE TOPIC IS TAUGHT.~~

~~(II) THE COUNTY BOARD MAY NOT AUTHORIZE A PARENT OR GUARDIAN TO OPT THE PARENT'S OR GUARDIAN'S STUDENT OUT OF EDUCATION RELATING TO HIV AND AIDS PREVENTION.~~

~~(III) EACH COUNTY BOARD SHALL IDENTIFY APPROPRIATE ALTERNATIVE LEARNING OBJECTIVES AND MEASURABLE GOALS THAT MEET STATE AND LOCAL HEALTH EDUCATION REQUIREMENTS FOR THE TOPIC THE STUDENT'S PARENT OR GUARDIAN HAS ELECTED TO OPT THE STUDENT OUT OF UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.~~

~~(6) ON OR BEFORE JUNE 15, 2026, AND EACH JUNE 15 THEREAFTER, EACH COUNTY BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT DESCRIBING THE ACTIONS TAKEN BY THE COUNTY BOARD TO COMPLY WITH THE REQUIREMENTS IN PARAGRAPHS (4) AND (5) OF THIS SUBSECTION.~~

~~(D) (1) (i) Each county board shall designate a school health services program coordinator.~~

~~(ii) A county board may authorize the county health department to designate the school health services program coordinator.~~

~~(2) The school health services program coordinator shall:~~

~~(i) Implement State and local health policies in the public schools;~~

~~(ii) Ensure that public schools adhere to local health services guidelines; and~~

~~(iii) Communicate State and local health policies to the parents and guardians of public school students.~~

~~(3) (i) Except as provided in subparagraph (ii) of this paragraph, the county board shall grant the school health services program coordinator the authority to carry out the provisions of this subsection.~~

~~(ii) The county board shall consult with a county superintendent before any change in the hiring or termination of personnel in connection with a school health services program.~~

~~(4) The Department shall conduct at least two meetings annually with all school health services program coordinators in the State.~~

~~[(d)] (E) On or before December 1, 2015, and every 5 years thereafter, the Department shall report to the Governor and, subject to § 2-1257 of the State Government Article, to the General Assembly a summary of the information reported to the State Superintendent during the COMAR certification process.~~

4-111.

(a) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CONTENT STANDARDS” HAS THE MEANING STATED IN § 7-202.1 OF THIS ARTICLE.

(3) “CURRICULUM RESOURCES” HAS THE MEANING STATED IN § 7-202.1 OF THIS ARTICLE.

(4) “CURRICULUM STANDARDS” HAS THE MEANING STATED IN § 7-202.1 OF THIS ARTICLE.

(B) Subject to the applicable provisions of this article and the bylaws, basic policies, and guidelines established by the State Board, each county board, on the written recommendation of the county superintendent, shall:

(1) Establish curriculum guides and courses of study **ALIGNED WITH THE CONTENT STANDARDS DEVELOPED UNDER § 7-202.1 OF THIS ARTICLE for the schools under its jurisdiction, including appropriate programs of instruction or training for [mentally or physically handicapped children] **CHILDREN WITH DISABILITIES**; and**

(2) Supply printed copies of these materials to any teacher or interested [citizen] **INDIVIDUAL.**

(C) (1) IF THE STATE SUPERINTENDENT RECEIVES NOTICE OR DETERMINES THAT A COUNTY BOARD HAS ESTABLISHED CURRICULUM GUIDES AND COURSES OF STUDY CONTRARY TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS

SECTION, THE STATE SUPERINTENDENT SHALL SEND A WRITTEN NOTICE OF DISCREPANCY TO THE COUNTY BOARD.

(2) WITHIN 30 DAYS AFTER THE DATE THE COUNTY BOARD RECEIVED NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY SUPERINTENDENT SHALL MEET WITH THE STATE SUPERINTENDENT TO:

(I) DISCUSS THE DISCREPANCIES IDENTIFIED BY THE STATE SUPERINTENDENT UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) DEVELOP A CORRECTIVE PLAN, INCLUDING AN IMPLEMENTATION TIMELINE, SUBJECT TO APPROVAL OF THE STATE SUPERINTENDENT.

(3) (I) IF THE STATE SUPERINTENDENT DETERMINES THAT THE COUNTY BOARD HAS NOT SATISFACTORILY IMPLEMENTED THE CORRECTIVE PLAN APPROVED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY BOARD SHALL ADOPT AND USE THE CURRICULUM STANDARDS AND CURRICULUM RESOURCES ESTABLISHED BY THE DEPARTMENT UNDER § 7-202.1 OF THIS ARTICLE ONLY IN SUBJECTS OR COURSES IDENTIFIED IN THE CORRECTIVE PLAN.

(II) THE STATE SUPERINTENDENT SHALL SEND A COUNTY BOARD A WRITTEN NOTICE OF A DETERMINATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH WITHIN 30 DAYS AFTER THE END OF THE IMPLEMENTATION TIMELINE APPROVED IN THE CORRECTIVE PLAN UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(III) A COUNTY BOARD SHALL SEND THE STATE SUPERINTENDENT WRITTEN CONFIRMATION OF RECEIPT OF THE NOTICE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, INCLUDING DOCUMENTATION OF THE AFFIRMATIVE VOTE OF THE COUNTY BOARD'S ADOPTION OF THE DEPARTMENT'S CURRICULUM STANDARDS AND CURRICULUM RESOURCES IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(4) IF A COUNTY BOARD FAILS TO ADOPT THE DEPARTMENT'S CURRICULUM STANDARDS AND CURRICULUM RESOURCES AS REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION WITHIN 60 DAYS AFTER THE DATE THE COUNTY BOARD RECEIVED THE WRITTEN NOTICE FROM THE STATE SUPERINTENDENT UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, THE STATE SUPERINTENDENT SHALL WITHHOLD STATE FUNDS IN ACCORDANCE WITH §§ 2-303 AND 5-205 OF THIS ARTICLE.

[(b)] (D) A county board may give academic credit for the study of American Sign Language.

7-202.1.

(a) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CONTENT STANDARDS” MEANS THE STATEMENTS FOR THE PROGRAM OF INSTRUCTION THAT DESCRIBE THE KNOWLEDGE AND SKILLS STUDENTS ARE EXPECTED TO ATTAIN FOR EACH CONTENT AREA AND GRADE LEVEL.

(3) “CURRICULUM RESOURCES” MEANS GUIDANCE DOCUMENTS AND FRAMEWORKS USED BY A COUNTY BOARD TO DEVELOP CURRICULA TO IMPLEMENT CONTENT STANDARDS.

(4) “CURRICULUM STANDARDS” MEANS THE STATEMENTS THAT OUTLINE APPROACHES TO LEARNING FOR EACH CONTENT AREA ACROSS GRADE LEVELS.

(B) The Department shall, in consultation with experienced and highly effective teachers, including teachers on the career ladder under Title 6, Subtitle 10 of this article, develop CONTENT STANDARDS, curriculum standards, and curriculum resources for each subject at each grade level, that build on one another in logical sequence, in core subjects that may be used by local school systems and public school teachers.

~~[(b)]~~ (C) (1) The purpose of the curriculum standards and curriculum resources developed under this section is to provide county boards with technical assistance to inform high-quality instruction that will ultimately result in students meeting the college and career readiness standards in the manner described under § 7-205.1 of this subtitle.

(2) The curriculum resources developed under this section shall include, for each core subject at each grade level:

(i) Course syllabi;

(ii) Sample lessons for teachers to use as models;

(iii) Examples of student work that meet standards for proficiency;

(iv) Explanations of why student work examples meet proficiency standards so that teachers know what student knowledge is required; and

(v) Curriculum units aligned with the course syllabi.

(3) In developing the curriculum resources under this subsection, the Department:

(i) May use as a model a course or unit developed by a teacher in or out of the State; but

(ii) Shall review each model course and unit for quality, using accepted benchmarks such as approval by EdReports or Tier 1 and Tier 2 evidence-based standards established by the federal Every Student Succeeds Act.

(4) The Department shall compile curriculum units in such a manner that:

(i) Complete courses are formed; and

(ii) When taken by a student in sequence, the student can achieve the college and career readiness standard adopted under § 7–205.1 of this subtitle by the end of grade 10.

[(c)] (D) The Department shall submit curriculum resources and curriculum standards developed under this section to the State Board for adoption.

[(d)] (E) The State Board shall establish a system of assessments to ensure that students are acquiring the knowledge contained in the curriculum standards in English, Mathematics, Science, and History or Social Studies.

[(e)] (F) (1) Using the assessments established under subsection [(d)] (E) of this section, the Department shall identify low-performing schools.

(2) An Expert Review Team established under § 5–411 of this article, under the supervision of the Department, shall visit schools identified under paragraph (1) of this subsection according to the criteria established under § 5–411 of this article.

(3) If the Department, based on a recommendation of an Expert Review Team, determines that a school's low performance on assessments is, largely, due to curricular problems, the school shall adopt the curriculum resources developed under this section.

(4) Except as provided in paragraph (3) of this subsection, this section does not require a public school or county board to adopt the Department's curriculum standards and curriculum resources and may not be construed to restrict a county board's authority to adopt curricula under § 4–111 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 6, 2025.