

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 161

Ways and Means

(Delegates Atterbeary and Fair)

Education, Energy, and the Environment

**County Boards of Education - Curriculum Guides and Courses of Study -
Discrepancies**

This bill requires the Maryland State Department of Education (MSDE) to develop content standards (in addition to curriculum standards and resources required under current law) for each subject at each grade level and further requires each local board of education to adopt curriculum guides and courses of study aligned with content standards developed by MSDE. The bill also (1) establishes a process for correcting discrepancies identified by the State Superintendent of Schools in a local board's curriculum guides and courses of study, including the imposition of penalties and (2) makes conforming and technical changes.

The bill takes effect July 1, 2025.

Fiscal Summary

State Effect: MSDE can develop content standards and provide required notice and corrective plans to local superintendents using existing resources. However, a more extensive review of local curriculum guides and courses of study likely requires additional staff or the redirection of existing staff from current priorities. The Comptroller can withhold State funds from local boards of education, if necessary, using existing resources. Any withholding of State funds is not anticipated to materially affect State expenditures. Revenues are not affected.

Local Effect: Local board of education expenditures may increase, likely minimally for most local school systems, to update curriculum guides and courses of study to align with content standards established by MSDE. Failure to comply will result in the withholding of State funds (revenues); however, assuming that local curricula generally comply with the bill's requirements, the withholding of funds is anticipated to occur rarely.

Small Business Effect: None.

Analysis

Bill Summary: “Content standards” are statements for the program of instruction that describe the knowledge and skills students are expected to attain for each content area and grade level. “Curriculum resources” are guidance documents and frameworks used by a local school board to develop curricula to implement content standards. “Curriculum standards” are statements that outline approaches to learning for each content area across grade levels.

If the State Superintendent of Schools receives notice or determines that a local board has adopted curriculum guides and courses of study that conflict with MSDE’s content standards, the Superintendent must send a written notice of discrepancy to the local board. Within 30 days of receiving the notice, the local superintendent must meet with the State Superintendent to address the discrepancies and develop a corrective plan with an implementation timeline, subject to approval by the State Superintendent.

If the State Superintendent later determines that the local board has not satisfactorily implemented the approved corrective plan, the local board must adopt and use MSDE’s curriculum standards and resources for the identified subjects or courses. The State Superintendent must notify the local board in writing within 30 days after the plan’s implementation deadline. The local board must confirm receipt in writing and include documentation of its vote to adopt the curriculum. If a local board fails to adopt the curriculum within 60 days of receiving the notice, the State Superintendent must withhold State funds, as specified.

Current Law:

Model Curriculum

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 (SBE) for adoption.

Using specified assessments in specified core subjects, SBE 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.

Curriculum Guides and Courses of Study

Each local board of education, on the written recommendation of the local superintendent of education, must (1) establish curriculum guides and courses of study for the schools under its jurisdiction, including appropriate programs of instruction or training for mentally or physically handicapped children and (2) supply printed copies of these materials to any teacher or interested citizen.

Withholding Funds

The State Superintendent must enforce the provisions of the Education Article within the Superintendent's jurisdiction and the bylaws, rules, and regulations of SBE. If an educational institution, a local board of education, a nonpublic prekindergarten program, or nonpublic school violates any of these provisions, the State Superintendent, by written notice, may require the State Comptroller to withhold from that institution, board, program, or school (1) all or any part of an appropriation made by the General Assembly and (2) all or any part of any other payment from funds budgeted by the State.

The State distributes major education aid to county boards on a bimonthly basis. Ten days before the end of July, September, November, January, March, and May, the State Superintendent must certify the amount due to each local board. These payments are equal in size and made every two months. The State Comptroller then draws a warrant for the funds within five days before each deadline, and the State Treasurer disburses the funds immediately upon receiving the warrant.

However, if a local board is found not to be complying with the State's public education program, the State Comptroller must withhold payments, as directed by the State Superintendent. Additionally, if a notification is received as specified, the State Superintendent determines whether funds should be released or withheld and certifies that decision to the Comptroller.

Additional Information

Recent Prior Introductions: Similar legislation has been not introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Association of County Health Officers; Maryland State Department of Education; Maryland Department of Health; Baltimore City Public Schools;

Baltimore County Public Schools; Anne Arundel County Public Schools; Frederick County Public Schools; St. Mary's County Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - January 27, 2025
km/mcr Third Reader - February 18, 2025
 Enrolled - April 29, 2025
 Revised - Amendment(s) - April 29, 2025

Analysis by: Caroline L. Boice

Direct Inquiries to:
(410) 946-5510
(301) 970-5510