

HB194_DeIShetty_FAV.pdf

Uploaded by: Emily Shetty

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 194

Education - Family Life and Human Sexuality Curriculum - Sexting
Statement in SUPPORT

Chair Pinsky, Vice Chair Kagan and Members of the esteemed Senate Education, Health, and Environmental Affairs Committee, thank you for the opportunity to share testimony in support of House Bill 194, which will require local boards of education to provide age-appropriate instruction on the risks of sexting as part of the Family Life and Human Sexuality curriculum in every grade in which the curriculum is being taught in public schools in the county, beginning in the 2022-2023 school year. This bill received wide bipartisan support in the House of Delegates, passing the House Ways and Means Committee on a vote of 21-1 and passing the House on a vote of 126-4.

HB194 is part two of the legislature's effort to address sexting among young people, an issue that was first addressed by a bill from the Chair of the Judiciary Committee last year. The bill, House Bill 180, corrected our criminal code to ensure that young people who engage in consensual sexting activity are not sent to jail unnecessarily. Instead, the law now allows judges to order young people who are caught engaged in the consensual sending or receiving of these images to participate in an educational program designed to teach them about the potential long-lasting and permanent harms of this behavior. However, all stakeholders we worked with realized that if a young person is first learning about these harms via a judge-ordered program, then it is likely too late.

Thus, HB194 will require local school systems to implement age-appropriate education about sexting. Currently, children are learning about consent, technology, abuse, and digital abuse; however, there is no curriculum focused on the potential dangers and emotional impacts of

sexting. Children have increasing access to cell phones, tablets, and social media at a younger age. Given this increased access, it is imperative that we do not shy away from educating young people about the dangers they might put themselves in.

Published studies on youth sexting cite that between 1.3 - 60% of children have or are currently sending or receiving sexts.¹ However, this number is likely far under-reported. One study published in the journal JAMA Pediatrics, which included data from 39 separate research projects conducted from January 1990 to June 2016, found that one in four young people had received a sext and one in seven had sent a sext.¹ The researchers noted that data shows an increase in sexting since 2008, corresponding with the expanding access to cell phones. It is also important to note that social media usage has only increased since the conclusion of that study in 2016. With a total of 110,380 participants in the study, the average child in the study was 10.3 years old when they got their first smartphone.

There are different forms of sexting: consensual, which was addressed via the law last session; coercive; and the republication of a sext. These are each distinctly different, and coerced or republished sexts are unprotected activities that can result in serious criminal consequences, as well as permanent harm to children. House Bill 194 seeks to educate young people on this issue by ensuring that children fully understand the choices that they are making behind their screens.

**Thank you for your consideration, and I respectfully request a favorable report on HB194.
Thank you.**

¹ JAMA Pediatrics, "Prevalence of Multiple Forms of Sexting Behavior Among Youth: A Systematic Review and Meta Analysis": <https://jamanetwork.com/journals/jamapediatrics/fullarticle/2673719>

SIECUS Written Testimony for MD HB 194.pdf

Uploaded by: Gabrielle Doyle

Position: FAV



SIECUS Written Testimony for MD House Bill 194

Serving as one of the national voices for sex education for over 55 years, SIECUS asserts that sexuality is a fundamental part of being human, one worthy of dignity and respect. Over [three decades of research](#) have shown that sex education is the most effective in reducing health disparities such as unplanned pregnancy and improves young people's social and emotional well-being. Through the introduction of House Bill 194, the Maryland Legislature has a key opportunity to advance the quality of instruction young people receive statewide. If enacted, House Bill 194 will ensure that all young people in Maryland receive age-appropriate instruction on the risks of sexting as part of the Family Life and Human Sexuality curriculum.

It's essential that the Maryland Senate pass this critical legislation to guarantee all young people, regardless of their zip code, receive the instruction they need to make healthy and safe decisions about their digital presence. In 2019, approximately 14% of young people nationwide sent a sext and 23% received one.¹ Despite this prevalence, many young people don't realize that sexting is illegal for minors and the potential danger it poses. Young people across Maryland are currently receiving inconsistent instruction on media literacy due to the lack of a statewide mandate, and the passage of this pivotal legislation will ensure all students are informed of the legal ramifications of sexting.

Media safety is paramount in ensuring young people have the tools they need to thrive throughout their entire lives. To effectively improve the quality of the Family Life and Human Sexuality curriculum for all young people in Maryland, it is critical that sex education programming includes robust, age appropriate instruction on sexting through the passage of House Bill 194. SIECUS: Sex Ed for Social Change calls on the Maryland Senate to take swift action to pass this legislation to improve the quality of education for all Maryland youth.

¹ <https://www.sciencedirect.com/science/article/abs/pii/S1054139X19305099?via%3Dihub>

Sexting ed - testimony - house in senate - 2022 -

Uploaded by: Lisae C Jordan

Position: FAV



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 194 **Lisae C. Jordan, Executive Director & Counsel** March 23, 2022

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI) which provides direct legal services for survivors across Maryland. We urge the Education, Health & Environmental Affairs Committee to report favorably on House Bill 194.

House Bill 194 – Sexting Education

HB194 would add sexting to the current Family Law and Human Sexuality curriculum in every grade in which the curriculum is taught in public schools. The Maryland Coalition Against Sexual Assault (MCASA) believes that this is a vital component of modern day consent education and also an important step to controlling child pornography. The COVID 19 pandemic has made education about sexting even more important as children (and predators) spend more and more time on-line and communicate through electronic means. While sexting between peers is not inherently criminal, it does carry significant risks, discussed further below. It is critical that children receive education about these issues and learn about the importance of respecting when sexting is voluntary and when it is not.

Incidence of Sexting

A recent study published in JAMA Pediatrics surveyed more than 110,000 teens and found about 27% of teens have admitted to receiving a sext.¹ This is believable, if not an underestimate, considering most teens have access to a cell phone, and a simple Google search generates over 21 million results for “*how to sext*”.

Risks from Sexting & Need for Response

While sexting is common, it also poses serious risks of a range of harms by increasing the risk of revenge porn, sextortion, sex trafficking, negative impact on employment or academic options, and more. Promises to keep images private are not always kept and the Digital Era makes it all too easy to distribute images. In December 2020, a New York Times article reported that Pornhub, the epicenter of online pornography, was hosting and monetizing videos of sexual

¹ Sheri Madigan et al., *Prevalence of Multiple Forms of Sexting Behavior Among Youth: A Systematic Review and Meta-analysis*, 172 JAMA Pediatrics 327–335 (2018)

assault, trafficking victims, and exploited youth (Kristof, 2020). At the time, anyone was allowed to upload personal content to the platform. The site's faulty and insufficient approval process allowed these videos to be uploaded to the site (Daily Mail, 2021). Sexting can provide content for these types of sites and, although the actions could give rise to other charges, the harm to the exploited youth is serious and irreversible: once an image is on the Internet, it lives there forever.

Education has been proven to deter the act of sexting.² Professor Quince Hopkins and her students at the University of Maryland Law School researched this issue and found a number of already existing curricula that Maryland could easily adopt. They range in cost from about \$50-\$500. Alternatively, Texas has developed its own educational program, called "Before You Text" and Maryland could develop a similar program and incorporate it into consent education.

<https://txssc.txstate.edu/tools/courses/before-you-text/>

**The Maryland Coalition Against Sexual Assault urges the
Education, Health & Environmental Affairs Committee to
report favorably on House Bill 194**



²Joseph Paravecchia, Note, *Sexting and Subsidiarity: How Increased Participation and Education from Private Entities May Deter the Production, Distribution, and Possession of Child Pornography Among Minors*, 10 AVE MARIA L. REV. 235, 242-48 (2011);

HB 194_MNADV_FAV_EHE.pdf

Uploaded by: Melanie Shapiro

Position: FAV



BILL NO: House Bill 194
TITLE: Education - Family Life and Human Sexuality Curriculum - Sexting
COMMITTEE: Education, Health, and Environmental Affairs
HEARING DATE: March 23, 2022
POSITION: **SUPPORT**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Education, Health, and Environmental Affairs Committee to issue a favorable report on HB 194.**

House Bill 194 requires age-appropriate instruction on the risks of sexting as part of the Family Life and Human Sexuality curriculum in every grade in which the curriculum is taught in public schools in the county, beginning in the 2022-2023 school year.

The Maryland Network Against Domestic Violence is deeply concerned about the connection between sexting and teen dating violence. The use of coercion in sexting among children has been identified as an indicator of other forms of coercion that occur offline.¹ In one survey of youth who reported at least one dating or sexual partner in the past 12 months, 12% reported coercive sexting victimization and 8% acknowledged pressuring a partner to sext.² Other studies have identified a connection between victims who are coerced into sexting also being victimized by other forms of teen dating violence, including sexual, physical and emotional abuse.³

The Maryland General Assembly passed crucial legislation last year that defined sexting, established it as a mitigating factor in a proceeding and disposition, and precluded sex offender registration if found guilty of sexting. The use of cell phones and other forms of technology is ubiquitous in our society and utilized by children at very young ages. While sexting can be part of a healthy, consensual relationship; it can also be used in a harmful, abusive, and exploitive manner. Education at very young ages in an age-appropriate manner regarding sexting is important for the healthy development of Maryland's children.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on HB 194.**

For further information contact Melanie Shapiro ■ Public Policy Director ■ 301-852-3930 ■ mshapiro@mnadv.org

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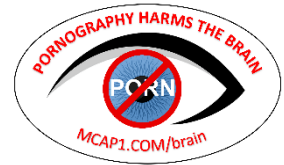
HB 194_PCairns_fav.pdf

Uploaded by: Peggy Cairns

Position: FAV

Maryland Coalition Against Pornography, Inc.

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TOGETHER WE CARE

March 23, 2022

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Licensed Psychologist

The Rev. Curtis Young
Pastor Emeritus
Presbyterian Church
of the Atonement

Chairman, Senator Paul Pinsky
Education, Health, and Environmental Affairs Committee, Maryland Senate

In support of HB 194 (Favorable)

We thank Delegate Shetty for sponsoring this bill, and for her work in prior years examining problematic sexualized behavior by minors. We commend the intent of this bill to bring the issue of sexting into discussions in the sex education realm in public schools. Sadly, it has become all too common of a 21st century risky behavior that needs to be warned against. Many parents or guardians may not be aware of how common the practice of sexting has become and that it is starting at younger and younger ages. Compounding the problem is they often are not as tech-savvy as their children, and lack ability to shield their children from the dangers.

A study published in *JAMA* ([Prevalence of Multiple Forms of Sexting Behavior Among Youth](#)) – (2018, so already 4 years old) indicated that:

- At least 1 in 4 teens are receiving sexually explicit texts and emails
- At least 1 in 7 are sending sexts
- More than 1 in 10 teens are forwarding sexts without consent
- About 1 in 12 teens have had sexts they've sent forwarded without their consent

That JAMA article comments that sexting is a predictor of sexual behavior and may be associated with other health outcomes and risky behaviors. It is intertwined with cyberbullying and can lead to anxiety and depression. Depending on the content and ages of those sharing it, there may be criminal issues of child porn distribution. Given that the average age of getting a smartphone is 10 years old, inclusion of the issue in elementary school curricula is not too early. Children are trading nude photos of each other like baseball cards and using the Iphone Airdrop feature to randomly send porn on school buses, sporting events, cafeterias, etc. They certainly need to seriously learn the concept of CONSENT.

We hope that there will be opportunity for input by the public on how this is to be taught in the schools.

Sexting is a genie that has gotten out of the bottle and is not going away. It needs to be addressed sooner rather than later.

Respectfully,
Peggy Cairns, Education Chairperson
and Mary Modderman, President

Testimony.pdf

Uploaded by: Stacey Bishop

Position: FAV

I, Stacey Bishop, would like to testify favorably on [HB194](#), Delegate Shetty's bill about sexting education. As a Family Life and Human Sexuality educator in Washington County, I feel it would benefit our students to receive age-appropriate instruction on the risks of sexting as part of the Family Life and Human Sexuality curriculum in every grade in which the curriculum is taught in public schools.

In my 15 years working with middle school students, I have found they are very misinformed of the consequences around sexting. Some have received sexts, sent sexts, or have been asked to send sexts. To keep our students safe, we need to empower them with knowledge. It is all our responsibility to ensure they receive accurate, fact-based, age-appropriate information; and this needs to happen before entering middle school. Thanks to COVID, all students now have access to tablets, phones and social media in elementary school. Along with the substantial opportunities the digital age brings, come a diverse range of risks and harms, which can have real-world implications. Equipping our students with the skills to effectively navigate the digital environment can help them understand the digital risks, dangers, and consequences they face. If we don't do this now, we are putting a target on their back. We are contributing to their exposure, vulnerability, and misuse.....which leads to a whole other plethora of issues.

I recently implemented the Positive Prevention Plus curriculum to 9th grade High School health classes. During one of the sessions (on Relationship Abuse) we did an activity called the Wheel of Power and Control. Cards labeled with different categories of abuse were posted on the wall. This interactive group activity started a conversation about sexting and the laws around sexting. Sadly, they have received very little, if any information on this topic. A topic that most of them have been dealing with in one form or another since middle school or younger.

In my experience, sexting has become normalized for many teens, and most do not think it comes with any consequences. For students to become ethical digital citizens we need to build their capacity to safely navigate the digital world. Incorporating this information into Family Life curriculum will play an important role in promoting digital responsibility and improve students' safety in the digital environment. It is our responsibility to keep our kids safe and that starts with empowering them with age-appropriate information at an early age.

OPD FWA HB 0194_Sexting Education.pdf

Uploaded by: Krystal Williams

Position: FWA



PAUL DeWOLFE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
DIRECTOR OF POLICY AND DEVELOPMENT

KRYSTAL WILLIAMS
DIRECTOR OF GOVERNMENT RELATIONS DIVISION

ELIZABETH HILLIARD
ASSISTANT DIRECTOR OF GOVERNMENT RELATIONS DIVISION

POSITION ON PROPOSED LEGISLATION

BILL: HB 0194 - Education - Family Life and Human Sexuality Curriculum - Sexting

FROM: Maryland Office of the Public Defender

POSITION: Favorable with Amendments

DATE: 03/22/2022

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on House Bill 194.

HB 194 follows legislation enacted in 2021, which aimed to distinguish between consensual sexting and youth who are threatened or victimized by sexting. HB 194 aims to facilitate conversations between educators, parents, and young adults about what sexting is, with a focus on education and safety.

Through such efforts it is important that we all recognize, if only at a practical level, that sexting and what it might depict may carry various possible risks: the potential for unhealthy body image and problematic relationships, that the images be shared widely via social media, or that the images might get into the wrong hands or be used as blackmail. However, it is also important that we understand that teenaged sexting is not child pornography. Laws prohibiting the production, distribution, and possession of child pornography were enacted to prevent the exploitation of children by adults. The prototypical child pornography case, and the behavior those laws intend to prevent, involves adults and their intentional sexual abuse or exploitation of a child, against the child's will, and often for monetary or other gain. It is, in the words of the Supreme Court, "a most serious crime and an act repugnant to the moral instincts of a decent people" Ashcroft v. Free Speech Coalition, 535 U.S. 234 (2002). In contrast,

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For further information please contact Krystal Williams, krystal.williams@maryland.gov 443-908-0241;
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Michal.gross@maryland.gov

the act of young people sexting one another, which typically involves a completely voluntary and consensual exchange of self-produced images of nudity or consensual sex, is not and should not be considered criminal.

Nonetheless, unfortunately, in a decision that strains common sense, our state's highest court ruled in 2019 that children can be charged for producing, distributing and/or possessing child pornography for self-produced images as if they were their own exploiters and abusers. In Re: S.K., 466 Md. 31 (2019). S.K. had sent a video of herself engaged in consensual sexual behavior to two friends. When one of her now former friends posted the video on social, S.K. had hoped the police officer at her school would offer assistance in removing the video; instead, she was interrogated, charged, prosecuted, and eventually convicted of distribution of child pornography. Despite its ultimate ruling, the court correctly noted, however, that "there may be compelling reasons for treating teenage sexting different from child pornography." Id. at 57. To do so, the court called on a legislative fix to the outdated laws, noting that "legislation ought to be considered by the General Assembly." Id.

HB 194, would provide school-based education on these issues in an effort to prevent these harms, rather than punish them after they happen and further traumatize individuals such as S.K. through the prosecutorial process.

MOPD, however, further urges the committee to consider amending the bill in the following ways:

First, adopt a definition of sexting that is age appropriate, focused on safety, inclusivity, and proactive education.

Second, MOPD encourages an addition to the bill that would ensure that there is a standardized curriculum developed by educators with input from students.

Sample language to effectuate these amendments is included below.

For the foregoing reasons, we encourage the Committee to issue a favorable report on this bill with amendments that ensure the focus on this bill is neither on shaming nor punishing youth for the choices they have made but instead proactively educating them on safety and autonomy.

HOUSE BILL 194

F1

2lr0679

(PRE-FILED)

By: **Delegate Shetty**

Requested: October 7, 2021

Introduced and read first time: January 12, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Family Life and Human Sexuality Curriculum – Sexting**

3 FOR the purpose of requiring a county board of education to provide age-appropriate 4
instruction on the risks of sexting as part of the Family Life and Human Sexuality 5 curriculum
in every grade in which the curriculum is taught in public schools in the 6 county beginning in
a certain school year; and generally relating to the Family Life 7 and Human Sexuality
curriculum in public schools in the State.

8 BY repealing and reenacting, without amendments,
9 Article – Courts and Judicial Proceedings
10 Section 3–8A–35(a)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2021 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 7–445
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2021 Supplement)

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

20 ~~Article – Courts and Judicial Proceedings~~

21 ~~3–8A–35.~~

22 (a) ~~(1) In this section, “sexting” means:~~

(i) ~~—The sending of a photograph, image, or video that depicts sexual~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

hb0194

2

HOUSE BILL 194

1 ~~conduct, as defined in § 11-101 of the Criminal Law Article, or sexual excitement, as 2 defined~~
 in § 11-101 of the Criminal Law Article, of oneself to another or of oneself and the 3 recipient
 by mobile telephone, computer, or other electronic or digital device; or

4 (ii) ~~—The receipt and retention of a photograph, image, or video~~
 5 ~~described in subparagraph (i) of this paragraph.~~

6 (2) ~~“Sexting” does not include conduct described in paragraph (1) of this~~
 7 ~~subsection if:~~

8 (i) ~~—The sender is more than 4 years older than the recipient;~~

9 (ii) ~~—The recipient is more than 4 years older than the sender;~~

10 (iii) ~~—The child did not consent to committing the conduct~~
 constituting 11 ~~—the violation; or~~

12 (iv) ~~—The child was coerced, threatened, or intimidated into~~
 13 ~~committing the conduct constituting the violation.~~

14 **Article – Education**

15 7-445.

16 (a) **(1)** In this section[, “consent”] **THE FOLLOWING WORDS HAVE THE**
 17 **MEANINGS INDICATED.**

18 **(2)** **“CONSENT”** means the unambiguous and voluntary agreement 19
 between all participants in each physical act within the course of
 interpersonal 20 relationships, including respect for personal boundaries.

21 **(3)** **“SEXTING” HAS THE MEANING STATED IN § 3-8A-35 OF THE**
COURTS AND JUDICIAL PROCEEDINGS ARTICLE. **means:**

25 (i) The sending of a photograph, image, or video that depicts
sexual conduct, as defined in § 11–101 of the Criminal Law Article, or
sexual excitement, as defined in § 11–101 of the Criminal Law Article,
of oneself to another or of oneself and the recipient by mobile
26 telephone, computer, or other electronic or digital device; or
27 (ii) The receipt and retention of a photograph, image, or video
described in subparagraph (i) of this paragraph.

22 (b) Beginning in the 2018–2019 school year, a county board shall provide
23 age–appropriate instruction on the meaning of “consent” and respect for
personal boundaries as part of the Family Life and Human Sexuality
curriculum in every grade in which the curriculum is taught in public schools
in the county.

27 **(C) BEGINNING IN THE 2022–2023 SCHOOL YEAR, A COUNTY BOARD SHALL**
28 **PROVIDE AGE–APPROPRIATE INSTRUCTION ON THE RISKS OF SEXTING AS PART OF**
29 **THE FAMILY LIFE AND HUMAN SEXUALITY CURRICULUM IN EVERY GRADE IN WHICH**
30 **THE CURRICULUM IS TAUGHT IN PUBLIC SCHOOLS IN THE COUNTY. THE**
31 **CURRICULUM SHALL BE DEVELOPED BY EDUCATORS AND**
32 **ADAPTED BASED ON FEEDBACK FROM STUDENTS FOLLOWING**
33 **ITS INTRODUCTION.**

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 32 1,
2022.

HB194 Curriculum- Sexting 3.23.22.pdf

Uploaded by: Jeanette Ortiz

Position: UNF



HB194 EDUCATION - FAMILY LIFE AND HUMAN SEXUALITY CURRICULUM - SEXTING

March 23, 2022

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

OPPOSE

Jeanette Ortiz, Esq., Legislative & Policy Counsel (410.703.5352)

Anne Arundel County Public Schools (AACPS) opposes **HB194 Education - Family Life and Human Sexuality Curriculum - Sexting**. This bill requires a county board of education to provide age-appropriate instruction on the risks of sexting as part of the Family Life and Human Sexuality curriculum in every grade in which the curriculum is taught in public schools in the county beginning in 2022-2023 school year.

Maryland schools provide their students with a comprehensive Pre-K –12 health education curriculum that focuses on a student’s development of protective life skills and promotes health and well-being. As part of this comprehensive health education curriculum, AACPS students are educated in Family Life and Human Sexuality as well as Safety and Violence Prevention. Students participate in age-appropriate instruction on the awareness and prevention of sexual abuse and assault. This instruction includes age-appropriate instruction on the meaning of consent and respect for personal boundaries.

AACPS currently addresses sexting in middle school and high school. While this legislation is well-intentioned, AACPS opposes efforts by the General Assembly to legislate local public school curriculum or assessments. The authority to establish curriculum and assessments is the domain of the Maryland State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. Maintaining this authority with the State Board and local boards allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

AACPS is committed to an ongoing and thorough review of curricula and materials of instruction to ensure that diversity, equity, and inclusion are promoted and evident. AACPS has a committee that reviews curriculum and materials of instruction. Representatives from all stakeholder groups including parents/guardians, teachers, and students are included in the review process. However, it is important to note that this legislation would require additional funding to create curriculum and assessments in grades 6 and 7 and, thus, creating an unfunded mandate as the creation of curriculum and assessments is a thoughtful and time consuming process which involved various stakeholders. AACPS opposes unfunded mandates.

Again, the district’s opposition to this bill does not rest on an evaluation of the merits of teaching any particular subject matter, certainly not education about sexting, but rather on the school system’s opposition to statutorily mandating the teaching of any one concept or content item as well as the opposition to unfunded mandates.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB194.

HB 194.Sexting Curriculum - SENATE.pdf

Uploaded by: John Woolums

Position: UNF

BILL: House Bill 194
TITLE: Education - Family Life and Human Sexuality Curriculum - Sexting
DATE: March 23, 2022
POSITION: OPPOSE
COMMITTEE: Education, Health, and Environmental Affairs
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes House Bill 194, which would require that an age-appropriate education program on the risks of sexting be developed and implemented by the State Board of Education and that each public school implement this curriculum in every grade in which Family Life and Human Sexuality curriculum is taught.

Local boards of education are committed to providing programs of instruction, health services, school facilities, and school meals designed to promote the physical and mental health and fitness of students and to prepare them to maintain a healthy lifestyle as adults. In this light, MABE appreciates the intent of this bill, but opposes adopting a specific student health instruction standard in this manner.

As this committee knows, MABE opposes efforts by the General Assembly to legislate curriculum, firmly believing that this role belongs to local boards of education in conjunction with the State Board. Although MABE agrees that sexting risk prevention education is a valuable component to comprehensive school health education programs, MABE maintains a strong preference for the adoption of State standards and the local discretion to achieve those standards through locally adopted curriculum and instructional tools and practices.

Again, MABE's opposition to this bill does not rest on an evaluation of the merits of teaching any specified subject matter, certainly not age-appropriate education about sexting, but rather on the association's opposition to statutorily mandating the teaching of any one concept or content item.

For these reasons, MABE requests an unfavorable report on House Bill 194.

HB0194 Howard Co BOE Testimony 032322 for EHEA - S

Uploaded by: Staff Howard County

Position: UNF



**Board of Education of Howard County
Testimony Submitted to the Maryland Senate,
Education, Health, and Environmental Affairs Committee
March 23, 2022**

**Board of Education
of Howard County**

**HB0194: UNFAVORABLE
Education - Family Life and Human Sexuality Curriculum – Sexting**

Vicky Cutroneo, *Chair*
Antonia Watts, *Vice Chair*
Christina Delmont-Small
Yun Lu, Ph.D.
Jennifer Swickard Mallo
Jolene Mosley
Chao Wu, Ph.D.
Peter J. Banyas
Student Member
Michael J. Martirano, Ed.D.
*Superintendent
Secretary/Treasurer*

The Board of Education of Howard County (the Board) opposes **HB0194 Education - Family Life and Human Sexuality Curriculum – Sexting**.

HB0194 requires that starting in school year 2023 county boards must provide age-appropriate instruction on the risks of sexting (as defined in the existing Courts Article) as part of Family Life and Human Sexuality curriculum in every grade in which the curriculum is taught.

The Howard County Public School System (HCPSS) provides a comprehensive Health Education program that aligns to State curriculum standards. The [State Health Education framework](#) includes standards in grades 6-12 related to “sexually explicit media,” and HCPSS includes sexting as a topic in middle and high school health classes. As the bill requires instruction in every grade in which the Family Life and Human Sexuality curriculum is taught, staff is unsure what additional content would be considered age-appropriate for learners as young as prekindergarten.

As a legislative platform the Board supports local decision making in the development of curriculum that accounts for a balance of educational practices, available resources, public input, and accountability that is informed and guided by State Board established standards and models, rather than legislative mandates as encompassed in HB0194.

For these reasons, we urge an UNFAVORABLE report of HB0194 from this Committee.

HB 194 - LOI – Education – Family Life and Human S

Uploaded by: Yousuf Ahmad

Position: INFO

Grade 7

Explain the impact sexually explicit media can have on one’s body image, expectations about sex, relationships, and self-esteem. 1c.7.17

Summarize the negative consequences of sending sexually explicit pictures or messages by e-mail or cell phone or posting sexually explicit pictures on social media sites. 1c.7.18

Grade 8

Describe the state and federal laws that impact young people's sexual health and rights, ability to give and receive sexual consent, and engagement with sexually explicit media. 1c.8.18

Analyze the negative consequences of sending sexually explicit pictures or messages by e-mail or cell phone or posting sexually explicit pictures on social media sites. 1c.8.19

High School

Explain the impact sexually explicit media can have on one's perceptions of, and expectations for, a healthy relationship. 1c.HS1.18

Explain federal and state laws that prohibit the creation, sharing, and viewing of sexually explicit media that includes minors. 1c.HS1.19

While the indicators cited above do not explicitly include the word sexting, the Framework requires age and developmentally appropriate education related to the risks of sexting starting in grade 6. The indicators above were developed utilizing national guidance such as the [CDC Health Education Curriculum Analysis Tool](#)¹ and [National Sex Education Standards](#)².

It should be noted that this bill requires age-appropriate instruction on the risks of sexting in every grade in which the family life curriculum is taught. Family life and human sexuality instruction is included in PreK through high school as part of the Comprehensive Health Education Instructional Program. Age-appropriate instruction on the risks of sexting may not be feasible in every grade that family life and human sexuality instruction is provided.

We respectfully request that you consider this information as you deliberate **House Bill 194**. Please contact Ary Amerikaner, at 410-767-0090, or ary.amerikaner@maryland.gov, for any additional information.

¹ Centers for Disease Control and Prevention. Health Education Curriculum Analysis Tool, 2021, Atlanta: CDC; 2021.

² Future of Sex Education Initiative. (2020). National Sex Education Standards: Core Content and Skills, K-12 (Second Edition).