



**PSSAM**  
Public School Superintendents' Association  
OF MARYLAND

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**BILL:** HB 461

**TITLE:** Education - Sexual Abuse and Assault Awareness and Prevention Program  
- Human and Sex Trafficking

**DATE:** February 15, 2023

**POSITION:** Oppose

**COMMITTEE:** Ways and Means

**CONTACT:** Mary Pat Fannon, Executive Director, PSSAM

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The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four Maryland local school superintendents, **opposes** House Bill 461.

House Bill 461 requires the Maryland State Board of Education (MSDE) to develop an age-appropriate education program modeling awareness and prevention of sexual abuse and assault for use in public schools and certain nonpublic schools. The program would be required to include material promoting the awareness and prevention of human and sex trafficking geared towards students in grades six through eight. Each local board of education would be required to incorporate this education program into already existing health curriculum, as well as ensure that instruction of these topics would be provided by teachers trained in the instruction of sexual assault prevention and awareness.

PSSAM has a longstanding policy of opposing efforts by the General Assembly to codify curriculum standards, assessments, or graduation requirements. Local superintendents strongly believe that the role of curriculum development and implementation belongs solely to local boards of education in conjunction with MSDE. Rest assured, PSSAM's opposition to this bill does not rest on an evaluation of the merits of teaching any specified subject matter, but rather opposition to statutorily mandating revisions to content standards and curriculum.

The Maryland General Assembly, in creating the Maryland State Board of Education and local boards of education, has delegated to them the responsibility of delivering a high-quality statewide system of public education through State standards and accountability measures, as well as locally governed and administered curriculum. The State Board establishes State content

frameworks, state assessment standards, and minimum state graduation requirements, while each local board and school system implement locally-developed curriculum to ensure that the state content frameworks are followed, student performance standards are met, and students are prepared to meet graduation requirements.

In the context of educational programming proposed by House Bill 461, PSSAM emphasizes that many local school systems already incorporate age-appropriate materials on topics such as sexual abuse and sex trafficking prevention into comprehensive health education curriculum. Under current law, each local school system must provide a comprehensive health education program for all students from prekindergarten through grade eight, as well as offer an education program in grades 9 through 12 that enables students to meet graduation requirements. Superintendents are committed to providing students with a comprehensive, well-rounded health education through curriculum that is implemented after proper stakeholder input is received and review processes are completed in each individual system. However, seeing as though this bill would require all local systems to expend additional funds in curriculum and assessment creation that are not provided under the bill's current language, this bill serves as an unfunded mandate for all twenty-four local systems.

Again, PSSAM's opposition to this bill does not rest on the merits of instruction pertaining to the sexual abuse, assault awareness, and sex trafficking prevention. Rather, it rests on the implications of curricular mandates on local school systems. House Bill 461, alongside similar bills which seek to interject or extract piecemeal segments of the curriculum, only serve to weaken the effectiveness of the overall educational curriculum.

For these reasons, PSSAM **opposes** House Bill 461 and urges an unfavorable committee report.