

Dear Senator,

Please oppose HB558, which would require every school district to teach the Maryland Health Framework (“the Framework”) in its entirety.

I am concerned about the loss of instructional time on core subjects, should school districts be required to teach the Framework. In the 2022-2023 school year, forty-seven (47%) percent of Maryland students from grades 3-8 were proficient in language arts. Twenty-five percent (25%) of students in grades 3-8 were proficient in math. Twenty-six percent (26%) of students in the eighth grade were proficient in science (see full report [here](#)). These statistics show that more time on core subjects, not less, is required to prepare Maryland students for graduation and productive careers.

HB558 would take control away from local Boards of Education. This is an unwise choice because local Boards are best equipped to meet the challenges of their individual localities.

The requirement that issues such as gender identity, sexuality and mental health be taught extensively in every public school infringes upon the parent’s fundamental right to direct the upbringing of the child (see *Pierce v. Society of Sisters*, 268 U.S. 510 (1925)). Among other subjects, the Framework requires extensive teaching regarding sexuality, gender identity and mental health. Decisions in these personal arenas deeply affect a child’s life. As such, these subjects should be discussed in the home by parents, rather than in the public school system. As HB558 now stands, there is no opt-out option for parents, which is a matter of deep concern.

Gender and sexuality are closely connected to religious and moral decisions that implicate the First Amendment. For example, the Framework requires that high school students differentiate between sexual orientation, sexual behavior, and sexual identity (see standard 1c.HS2.6). These distinctions are contrary to major religious creeds. Should a student who subscribes to such a creed be required to complete assignments in which he must distinguish between sexual orientation, sexual behavior and sexual identity, in order to receive adequate marks, this could be considered compelled speech (see *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1943)).

I ask that you consider opposing this bill in its entirety. Thank you for the service you render to Maryland.

Sincerely,

James Elbourn