
TO: House Ways and Means Committee

BILL: House Bill (HB) 558 - Primary and Secondary Education - Comprehensive Health Education Framework - Established

DATE: February 7, 2024

POSITION: Oppose

Chair Atterbeary and Members of the House Ways and Means Committee,

The Maryland State Board of Education (State Board) and the Maryland State Department of Education (MSDE) respectfully oppose **HB 558**, which would require the State Board, in consultation with the Maryland Department of Health (MDH), to develop and include specific topics in a Comprehensive Health Education Framework, require local education agencies (LEAs) to develop opt-out policies, guidelines, and procedures for instruction on family life and human sexuality and gender identity and sexual orientation, and beginning on or by June 15, 2025, and annually thereafter, require LEAs to submit a report to MSDE on their actions related to implementing the Comprehensive Health Education Framework.

We do not oppose the bill based on the merits of the proposed subject matter, but on the grounds that the legislative requirement would be duplicative of current regulatory requirements and run counter to the process that is entrusted to the State Board and MSDE.

While the State Board and MSDE are supportive of the fundamental principles outlined in the requirements of the bill, both entities are strident in ensuring that the development of curricular standards and frameworks be conducted through the longstanding collaborative process between the State Board, MSDE, local education agencies, stakeholders, and in this instance, MDH.

On January 23, 2024, the State Board and MSDE developed a process to review, revise, and adopt standards and frameworks, including the existing Comprehensive Health Education Framework. The established [Comprehensive Health Education Framework](#) includes all eight topics identified in the bill in alignment with the national health education standards in an age-appropriate, scientific, and research-based way, as required in this bill.

Additionally, existing Code of Maryland Regulations (COMAR) 13A.04.18.01 requires LEAs to establish policies, guidelines, and/or procedures for student opt-out regarding instruction related to family life and human sexuality objectives, which includes gender identity and expression and sexual orientation and identity.

Further, COMAR 13A.04.18.02 requires local superintendents to certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten through 12 meets, at a minimum, the requirements of the comprehensive health education framework.

MSDE, in partnership with MDH, teachers, supervisors, parents, institutes of higher education, and other stakeholders, will continue to undertake a significant review of state standards and frameworks pertaining to this subject. In this process, MSDE will be certain to include our critical partners in the General Assembly.

The State Board and MSDE request that the committee consider this information on **HB 558**. Please contact Dr. Akilah Alleyne, Executive Director of Government Affairs, Education Policy, and Government Relations, at Akilah.alleyne@maryland.gov or at 410-767-0504 or Zach Hands, Executive Director of the State Board, at Zachary.hands1@maryland.gov or at 443-915-6094, if you would like any additional information.