

Unfavorable Written Testimony on Senate Bill 948

To: The Maryland Senate Education, Energy, and the Environment Committee

From: Brenda Myers

Date: 03/05/2025

Re: Opposition to Senate Bill 948 – "Children - Parental Rights - Educational Rights"

Honorable Members of the Senate Education, Energy, and the Environment Committee,

I write today to express my **strong opposition** to Senate Bill 948, which mandates local boards of education to implement broad parental involvement policies, grants excessive parental control over instructional materials, and enforces restrictive regulations on student identity and participation. While parental engagement in education is important, this bill **raises serious constitutional concerns, creates unfunded mandates for local school systems, and jeopardizes student rights and privacy.**

1. SB 948 Raises Serious Constitutional Issues

The bill imposes **overbroad and vague restrictions** that conflict with **established First and Fourteenth Amendment protections**. The proposed parental opt-outs and restrictions on curriculum content could lead to unconstitutional viewpoint discrimination and content-based restrictions on speech. Courts have repeatedly ruled that **public education must be free from undue ideological interference** (*Epperson v. Arkansas*, 393 U.S. 97 (1968)). By allowing broad curriculum opt-outs and withdrawal from clubs and extracurriculars, **this bill violates students' rights to a comprehensive education.**

Additionally, the provision requiring **parental consent before a student can use gender pronouns differing from their biological sex** infringes upon **equal protection rights and privacy protections** guaranteed under Maryland law. **Forcing students to conform to parental gender expectations contradicts established case law protecting students' rights to self-expression.**

2. SB 948 Places an Unfunded Mandate on Local School Systems

The fiscal note for this bill highlights **significant financial burdens on school districts.**

- **Frederick County Public Schools estimates costs exceeding \$6.5 million annually** due to additional administrative work and staffing required to comply with the law.
- **Anne Arundel County estimates at least \$40,000 just for website infrastructure** to manage parental inquiries and complaints.
- **St. Mary's and Wicomico Counties estimate at least \$130,000** to hire additional staff for implementation.

This bill imposes an **expensive and unnecessary bureaucratic burden** on already underfunded school systems, diverting resources from essential student services.

3. SB 948 Threatens the Integrity of Public Education

This legislation undermines **local control over curriculum** and opens the door to **selective censorship of instructional materials** based on individual parental objections rather than educational merit. **Public education should serve the collective good and ensure all students receive a well-rounded education, not cater to the ideological preferences of a vocal minority.**

By allowing parents to withdraw students from clubs, assemblies, and classroom content at will, this bill disrupts learning environments and **sets a dangerous precedent for politically motivated curriculum interference.**

4. SB 948 is a Solution in Search of a Problem

Maryland schools **already have** robust policies allowing parents to review instructional materials and opt-out of certain health-related topics. The Maryland State Department of Education provides transparency and clear policies for parental involvement without creating an administrative quagmire. **This bill is unnecessary and only serves to politicize education.**

Conclusion

SB 948 is a **deeply flawed** bill that would:

- **Violate constitutional protections** related to free speech, equal protection, and privacy.
- **Create significant financial burdens** for local school districts.
- **Undermine the integrity of public education** by prioritizing individual parental control over sound educational policy.
- **Impose unnecessary bureaucracy** where existing policies already ensure parental engagement.

For these reasons, I urge the committee to issue an **UNFAVORABLE REPORT** on SB 948.

Respectfully Submitted,

Brenda Myers

Hampstead, Maryland