

Dear Education, Energy, and the Environment Committee,

My name is Justin Kuk and I am both a parent of school-aged children and a National Board Certified educator. I am writing to ask you to oppose HB 161 and to stop it in committee.

This bill weakens the local control of school boards to make curricular decisions based on input from parents and community members and is a direct attack on parents' rights to make educational decisions for their children related to complex and controversial topics. The bill requires the Maryland State Department of Education to develop a new state health curriculum framework with eight required domains, including 1) Family Life and Human Sexuality and 2) Gender Identity and Sexual Orientation. The bill also mandates that county school districts adopt a curriculum that aligns with the new health curriculum framework.

MSDE already has a health curriculum framework that includes topics on gender identity and sexual orientation, but these are currently included under the existing Family Life and Human Sexuality framework. There is not a separate Gender Identity and Sexual Orientation domain in the existing health curriculum framework. Under state law, school districts are required to provide families with the opportunity to opt their children out of instruction on topics in the Family Life and Human Sexuality domain. Therefore, parents currently have the right to opt their children out of instruction on topics related to gender identity and sexual orientation. By creating separate domains for 1) Family Life and Human Sexuality and 2) Gender Identity and Sexual Orientation, HB 161 will remove families' right to opt their children out of complex and controversial topics related to gender identity and sexual orientation because school districts will only be required to provide an opt-out alternative for instruction related to the Family Life and Human Sexuality domain. It is obvious that the primary, if not only, goal of this bill is to force controversial ideas and beliefs on all Maryland public school children, starting in pre-kindergarten.

While the bill does still require school districts to provide a parental opt-out option for the Family Life and Sexuality domain, I have concerns about the reliability of communication between schools and parents. This requirement could easily be evaded by a teacher or administrator with an ideological agenda to push. They could claim that the opt-out form was sent home with the student but was somehow lost before it reached the parent. An opt-in requirement would much better protect parental rights.

However, as previously explained, the bill **does not** require school districts to even provide a parental opt-out option for the Gender Identity and Sexual Orientation domain. In fact, state delegates had an opportunity to accept an amendment that would have added this protection for parental rights, but they overwhelmingly denied it by a 92-38 vote. Parents have the right to make educational decisions for their children and should have the right to

decide when and how complex and controversial topics such as gender identity should be introduced to their children. The design of this bill shows that it has the clear intent to require all Maryland public school children to receive instruction related to gender identity and sexual orientation and to skirt current state law that protects parental rights by removing those topics from the Family Life and Human Sexuality domain.

Moreover, gender ideology should not even be taught in Maryland's public schools because it is based on controversial ideological beliefs and not scientific facts, which should be the basis of any health curriculum framework. The proposition that a child can self-select their gender is an ideological position that is not based on biology and should not be included in a public school health curriculum.

Marylanders understand that the Democratic Party enjoys a super-majority in both chambers of the state legislature. However, if you support HB 161 you will not be supporting the views demographics that heavily support the Democratic Party. [Pew research](#) shows that 68% of Black Americans believe that a person's gender is determined by their biological sex. Even a majority of liberal Black Americans (51%) hold this view. I am willing to bet that if many Democratic senators surveyed their constituents, they would find that they do not favor either the ideas that HB 161 will require to be taught or the attempt to remove families' rights to opt out of instruction on these ideas.

Finally, it is your duty to steward public schools in Maryland. From the 2019-2020 school year to the 2023-2024 school year, enrollment in Maryland Public Schools dropped from 909,414 to 890,137, which is a decrease of 2%. If this bill is passed into law, I believe that even more families will leave public schools in favor of homeschooling or private schools that better fit their values. Not only will this impact school funding but it will cause some of the most active and supportive parents to pull back from their involvement in public schools. This will be a detriment to the overall success of Maryland public schools.

For all the reasons listed in this email, I urge you to oppose HB 161. This is not about silencing voices or banning books. It is about protecting and respecting the role and rights of parents to determine when and how to introduce their children to complex and controversial ideas. Thank you for your consideration.

Sincerely,

Justin Kuk

Baltimore, Maryland