



TESTIMONY IN OPPOSITION OF BILL HB 459

State Board of Education and State Superintendent of Schools - Enforcement Procedures - Alterations Ways and Means Committee February 11, 2026

Social Work Advocates for Social Change strongly opposes HB 459, which would weaken the State of Maryland's ability to protect students from harmful and inequitable local school board decisions. The bill would narrow the standard under which the State Board of Education may overturn local county decisions and limit the Superintendent's authority to pause harmful policies while under review. SWASC strongly urges an unfavorable report on HB 459 due to the serious harm it could cause to Maryland's students.

Currently, the State Board of Education is an essential safeguard for equity, parity, and consistency among Maryland school districts and ensures that local boards are not making harmful or ideologically driven decisions about the curriculum. All Maryland students are entitled to a "thorough and efficient" education under the Maryland Constitution, and the State Board of Education is the mechanism that provides oversight to that education. This oversight was critical in Harford County, where the local Board of Education voted to remove the graphic novel *Flamer*, which "follows a teen boy who navigates friendships, bullies and a boy he can't stop thinking about," from school libraries.¹ The State reversed this decision, restored the book to library shelves, and directed the county to revise its procedures.² This case specifically highlights the importance of state review in preventing arbitrary censorship of educational materials.

HB 459 would make reversals of arbitrary censorship of education materials far more challenging. The language of limiting intervention to cases of "abuse of discretion" or "illegality" allows for harmful decisions to persist even when they undermine educational equity and the well-being of students. This bill places children, particularly in marginalized groups like LGBTQIA+ students and students of color, at increased risk of harm.

Organizations like the National Coalition Against Censorship emphasize that students should be exposed to a broad range of perspectives.³ Research shows that students who see themselves reflected in what they read perform better academically and feel a stronger sense of belonging.⁴ The attempted removal of *Flamer* demonstrates how easy it is for a marginalized identity to be targeted by an overzealous county board, and how essential state-level review is to correcting these infringements on



students. If for some reason an individual parent does not want their child to read a particular book, the U.S Supreme Court ruled that parents may remove children from lessons that conflict with their religious beliefs, affirming parental rights without the need for district-wide censorship or blanket bans on educational materials.⁵ Thus, HB 459 is unnecessary, and only serves to target safeguards that protect students from inequitable and politically motivated decisions.

Ultimately, HB 459 weakens the State’s educational safeguards, opening the door to censorship that causes significant and lasting damage to students’ educational access and sense of inclusion. We know these safeguards are meaningful and are working because we have seen them in practice. If enacted, HB 459 would risk students losing access to needed materials and threaten educational equity across the state. For these reasons, **Social Work Advocates for Social Change strongly urges an unfavorable report on HB 459.**

¹ Modee Lockman, J. (2025, November 6). *Maryland Board of Education reverses Harford County Schools’ decision to ban book*. CBS News. <https://www.cbsnews.com/baltimore/news/maryland-harford-county-book-ban-flamer-reversed/>

² Ibid.

³ NCAC Kids’ Right to Read Action Kit. (2022). <https://ncac.org/wp-content/uploads/2022/07/KRRP-Action-Kit-2022.pdf>

⁴ Ferlazzo, L. (2025, February 13). *Students benefit academically when they feel understood (opinion)*. Education Week. <https://www.edweek.org/teaching-learning/opinion-students-benefit-academically-when-they-feel-understood/2023/11>

⁵ *Mahmoud v. Taylor*, 606 U.S. ____ (2025). https://www.supremecourt.gov/opinions/24pdf/24-297_4f14.pdf