

BILL: Senate Bill 199
TITLE: Primary and Secondary Education - Comprehensive Health Education Framework - Established
DATE: February 8, 2023
POSITION: OPPOSE
COMMITTEE: Education, Energy, and the Environment
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes Senate Bill 199. This legislation is not necessary to require the Maryland State Department of Education (MSDE), in collaboration with the Maryland Department of Health (MDH), to develop a comprehensive health education framework. This is because these agencies and a broad group of other stakeholders have already done so. MABE's opposition to this health framework and curriculum bill is firmly grounded in the association's adopted legislative positions, which affirm that MABE:

- Supports local decision-making authority in developing curriculum, assessments, grading policies, and instructional programs and the adoption of statewide laws and regulations reflecting a commitment to local governance, professional judgment of local educators, and community engagement; and
- Opposes any efforts by the General Assembly to legislate curriculum or testing matters inconsistent with MABE's adopted resolutions and legislative positions.

MSDE very recently approved a revised health education framework in 2021, based on regulations updated in 2019. The "Maryland Comprehensive Health Education Framework: Pre-Kindergarten through 12th Grade" was drafted and reviewed by representatives from local school systems, MSDE, the Maryland Department of Health, University of Maryland School of Medicine, Johns Hopkins Bloomberg School of Public Health, American Academy of Pediatrics, Advocates for Youth, and a parent and high school student. Since 2021, local boards have been engaging their parents and local communities to devise their local curriculum, including the approved option for parents to have their children opt out of the Health and Human Sexuality instruction. MABE strongly supports this process of state standard development followed by flexible local curriculum development through community engagement.

MABE opposes this legislation for the reasons outlined above and to avoid setting the precedent that other content standards, curriculum, and instructional materials may become the subject of legislation. In Maryland, the authority to adopt curriculum, courses of study, and the selection of textbooks resides with each local board of education and superintendent. Examples of state laws establishing curriculum are limited, including specific subject matters such as agriculture, computer science, and cardiopulmonary resuscitation. The State Board of Education has approved regulations that contain more specific requirements to provide instructional programs in specific content areas and to include the content standards set forth in the curricular frameworks. The MSDE Protocol for Developing and Revising Standards defines the state frameworks as guides for school systems as they develop local school curricula. Again, MABE endorses this process and opposes a shift to legislating on curriculum matters.

For these reasons, MABE requests an unfavorable report on Senate Bill 199.