

HOUSE BILL 558

F1
HB 119/23 – W&M

4lr2364

By: **Delegate Atterbeary**
Introduced and read first time: January 24, 2024
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – Comprehensive Health Education**
3 **Framework – Established**

4 FOR the purpose of requiring the State Department of Education, in collaboration with the
5 Maryland Department of Health, to develop a comprehensive health education
6 framework; requiring each county board of education to create an age-appropriate
7 curriculum that is consistent with the comprehensive health education framework;
8 requiring each county board to establish policies, guidelines, and procedures for a
9 parent or guardian to opt out of certain topics for the parent's or guardian's student,
10 subject to certain requirements; requiring each county board to report each year to
11 the State Department of Education on actions taken by the county board to comply
12 with certain requirements; and generally relating to the establishment of a
13 comprehensive health education framework in public schools.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 7–401
17 Annotated Code of Maryland
18 (2022 Replacement Volume and 2023 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Education**

22 7–401.

23 (a) With the assistance of the county health department, each county board shall
24 provide:

25 (1) Adequate school health services;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (2) Instruction in health education, including the importance of physical
2 activity in maintaining good health; and

3 (3) A healthful school environment.

4 (b) The Department and the Maryland Department of Health jointly shall:

5 (1) Develop public standards and guidelines for school health programs;
6 and

7 (2) Offer assistance to the county boards and county health departments
8 in their implementation.

9 (c) **(1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND
10 DEPARTMENT OF HEALTH, SHALL DEVELOP A COMPREHENSIVE HEALTH
11 EDUCATION FRAMEWORK.**

12 **(2) THE DEPARTMENT SHALL UPDATE THE COMPREHENSIVE
13 HEALTH EDUCATION FRAMEWORK IN THE MANNER AND AT THE TIME THE STATE
14 BOARD DETERMINES IS NECESSARY.**

15 **(3) THE COMPREHENSIVE HEALTH EDUCATION FRAMEWORK SHALL,
16 AT A MINIMUM, INCLUDE THE FOLLOWING TOPICS:**

17 **(I) HEALTH PROMOTION;**

18 **(II) MENTAL AND EMOTIONAL HEALTH;**

19 **(III) SUBSTANCE ABUSE PREVENTION;**

20 **(IV) FAMILY LIFE AND HUMAN SEXUALITY;**

21 **(V) GENDER IDENTITY AND SEXUAL ORIENTATION;**

22 **(VI) SAFETY AND VIOLENCE PREVENTION;**

23 **(VII) HEALTHY EATING; AND**

24 **(VIII) DISEASE PREVENTION AND CONTROL.**

25 **(4) (I) EACH COUNTY BOARD SHALL CREATE AN
26 AGE-APPROPRIATE CURRICULUM THAT IS CONSISTENT WITH THE COMPREHENSIVE
27 HEALTH EDUCATION FRAMEWORK.**

1 **(II) IN DEVELOPING A CURRICULUM UNDER THIS PARAGRAPH,**
2 **EACH COUNTY BOARD SHALL ESTABLISH A COMMITTEE COMPOSED OF EDUCATORS,**
3 **HEALTH EXPERTS, AND MEMBERS OF THE LOCAL COMMUNITY TO REVIEW AND**
4 **COMMENT ON WHETHER CURRICULUM MATERIALS ARE CONSISTENT WITH THE**
5 **COMPREHENSIVE HEALTH EDUCATION FRAMEWORK.**

6 **(5) (I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS**
7 **PARAGRAPH, EACH COUNTY BOARD SHALL ESTABLISH POLICIES, GUIDELINES, AND**
8 **PROCEDURES FOR A PARENT OR GUARDIAN TO OPT OUT OF THE FAMILY LIFE AND**
9 **HUMAN SEXUALITY OR THE GENDER IDENTITY AND SEXUAL ORIENTATION TOPICS**
10 **FOR THE PARENT’S OR GUARDIAN’S STUDENT IN EACH GRADE IN WHICH THOSE**
11 **TOPICS ARE TAUGHT.**

12 **(II) THE COUNTY BOARD MAY NOT AUTHORIZE A PARENT OR**
13 **GUARDIAN TO OPT THE PARENT OR GUARDIAN’S STUDENT OUT OF EDUCATION**
14 **RELATING TO HIV AND AIDS PREVENTION.**

15 **(III) EACH COUNTY BOARD SHALL IDENTIFY APPROPRIATE**
16 **ALTERNATIVE LEARNING OBJECTIVES AND MEASURABLE GOALS THAT MEET STATE**
17 **AND LOCAL HEALTH EDUCATION REQUIREMENTS FOR A STUDENT WHOSE PARENT**
18 **OR GUARDIAN HAS ELECTED TO OPT THE STUDENT OUT OF A PARTICULAR TOPIC**
19 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

20 **(6) ON OR BEFORE JUNE 15, 2025, AND EACH JUNE 15 THEREAFTER,**
21 **EACH COUNTY BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT DESCRIBING**
22 **THE ACTIONS TAKEN BY THE COUNTY BOARD TO COMPLY WITH THE REQUIREMENTS**
23 **IN PARAGRAPHS (4) AND (5) OF THIS SUBSECTION.**

24 **(D) (1) (i) Each county board shall designate a school health services**
25 **program coordinator.**

26 (ii) A county board may authorize the county health department to
27 designate the school health services program coordinator.

28 (2) The school health services program coordinator shall:

29 (i) Implement State and local health policies in the public schools;

30 (ii) Ensure that public schools adhere to local health services
31 guidelines; and

32 (iii) Communicate State and local health policies to the parents and
33 guardians of public school students.

1 (3) (i) Except as provided in subparagraph (ii) of this paragraph, the
2 county board shall grant the school health services program coordinator the authority to
3 carry out the provisions of this subsection.

4 (ii) The county board shall consult with a county superintendent
5 before any change in the hiring or termination of personnel in connection with a school
6 health services program.

7 (4) The Department shall conduct at least two meetings annually with all
8 school health services program coordinators in the State.

9 **[(d)] (E)** On or before December 1, 2015, and every 5 years thereafter, the
10 Department shall report to the Governor and, subject to § 2–1257 of the State Government
11 Article, to the General Assembly a summary of the information reported to the State
12 Superintendent during the COMAR certification process.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2024.