

HOUSE BILL 558

F1
HB 119/23 – W&M

4lr2364

By: ~~Delegate Atterbeary~~ Delegates Atterbeary, Fair, Feldmark, Grossman, Palakovich Carr, Vogel, and Wells

Introduced and read first time: January 24, 2024

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2024

CHAPTER _____

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~~ a certain topic for the parent's or
10 guardian's student, subject to certain requirements; requiring each county board to
11 report each year to the State Department of Education on actions taken by the county
12 board to comply with certain requirements; and generally relating to the
13 establishment of a 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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 7-401.

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

4 (1) Adequate school health services;

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

7 (3) A healthful school environment.

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

9 (1) Develop public standards and guidelines for school health programs;
10 and

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

13 (c) **(1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND
14 DEPARTMENT OF HEALTH, SHALL DEVELOP A COMPREHENSIVE HEALTH
15 EDUCATION FRAMEWORK.**

16 **(2) THE DEPARTMENT SHALL UPDATE THE COMPREHENSIVE
17 HEALTH EDUCATION FRAMEWORK IN THE MANNER AND AT THE TIME THE STATE
18 BOARD DETERMINES IS NECESSARY.**

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

21 **(I) HEALTH PROMOTION;**

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

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

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

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

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

27 **(VII) SAFE AND APPROPRIATE SOCIAL MEDIA AND INTERNET**
28 **USE;**

1 **(VIII) HEALTHY EATING; AND**

2 **~~(VIII)~~ (IX) DISEASE PREVENTION AND CONTROL.**

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

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

11 **(5) (I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS**
12 **PARAGRAPH, EACH COUNTY BOARD SHALL ESTABLISH POLICIES, GUIDELINES, AND**
13 **PROCEDURES FOR A PARENT OR GUARDIAN TO OPT OUT OF THE FAMILY LIFE AND**
14 **HUMAN SEXUALITY ~~OR THE GENDER IDENTITY AND SEXUAL ORIENTATION TOPICS~~**
15 **TOPIC FOR THE PARENT'S OR GUARDIAN'S STUDENT IN EACH GRADE IN WHICH**
16 **~~THOSE TOPICS ARE~~ THE TOPIC IS TAUGHT.**

17 **(II) THE COUNTY BOARD MAY NOT AUTHORIZE A PARENT OR**
18 **GUARDIAN TO OPT THE PARENT OR GUARDIAN'S STUDENT OUT OF EDUCATION**
19 **RELATING TO HIV AND AIDS PREVENTION.**

20 **(III) EACH COUNTY BOARD SHALL IDENTIFY APPROPRIATE**
21 **ALTERNATIVE LEARNING OBJECTIVES AND MEASURABLE GOALS THAT MEET STATE**
22 **AND LOCAL HEALTH EDUCATION REQUIREMENTS FOR ~~A STUDENT WHOSE~~ THE TOPIC**
23 **THE STUDENT'S PARENT OR GUARDIAN HAS ELECTED TO OPT THE STUDENT OUT OF**
24 **~~A PARTICULAR TOPIC~~ UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

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

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

31 **(ii) A county board may authorize the county health department to**
32 **designate the school health services program coordinator.**

33 **(2) The school health services program coordinator shall:**

- 1 (i) Implement State and local health policies in the public schools;
- 2 (ii) Ensure that public schools adhere to local health services
3 guidelines; and
- 4 (iii) Communicate State and local health policies to the parents and
5 guardians of public school students.

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

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

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

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.