

# SENATE BILL 364

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EMERGENCY BILL

2lr1686

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By: **Senator Simonaire**

Introduced and read first time: January 21, 2022

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Board of Education – Parent’s Right to Challenge**  
3 **Curriculum Act**

4 FOR the purpose of authorizing a parent or guardian to sponsor, sign, and circulate a  
5 petition to challenge the use of certain curriculum in a course taught in a public  
6 school in Anne Arundel County; establishing requirements for the contents of a  
7 petition, public hearings, a vote on the subject of a certain petition, and public notice  
8 of certain processes and hearings; and generally relating to petitions to challenge  
9 curriculum and the Anne Arundel County Board of Education.

10 BY adding to  
11 Article – Education  
12 Section 4–141  
13 Annotated Code of Maryland  
14 (2018 Replacement Volume and 2021 Supplement)

15 Preamble

16 WHEREAS, Parents and guardians of students attending public schools in Anne  
17 Arundel County are an essential component of our students’ educational experience and  
18 success; and

19 WHEREAS, Parents and guardians of students attending public schools in Anne  
20 Arundel County are just as invested in the students as individuals in the county school  
21 administration; and

22 WHEREAS, Parents and guardians of students attending public schools in Anne  
23 Arundel County deserve to have a strong voice in the appropriateness of curriculum being  
24 taught; and

25 WHEREAS, Parents and guardians of students attending public schools in Anne

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Arundel County demand the ability to appeal curriculum that is divisive, antipatriotic,  
2 age-inappropriate, explicitly sexual in nature, promotes radical ideology, or is harmful to  
3 the student's overall educational environment; now, therefore,

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

6 **Article – Education**

7 **4–141.**

8 **(A) THIS SECTION APPLIES ONLY IN ANNE ARUNDEL COUNTY.**

9 **(B) (1) A PARENT OR LEGAL GUARDIAN OF A STUDENT IN A PUBLIC**  
10 **SCHOOL IN THE COUNTY MAY SPONSOR, SIGN, AND CIRCULATE A PETITION TO**  
11 **CHALLENGE THE USE OF SPECIFIED CURRICULUM IN A COURSE TAUGHT IN A PUBLIC**  
12 **SCHOOL IN THE COUNTY.**

13 **(2) THE SPONSOR OF A PETITION UNDER PARAGRAPH (1) OF THIS**  
14 **SUBSECTION SHALL FILE THE PETITION WITH THE ANNE ARUNDEL COUNTY BOARD**  
15 **OF EDUCATION.**

16 **(C) (1) A PETITION SHALL CONTAIN:**

17 **(I) AN INFORMATION PAGE:**

18 **1. DESCRIBING THE SUBJECT AND PURPOSE OF THE**  
19 **PETITION;**

20 **2. IDENTIFYING THE SPONSOR OF THE PETITION AND**  
21 **PROVIDING THE SPONSOR'S CONTACT INFORMATION; AND**

22 **3. CONTAINING INFORMATION RELATING TO**  
23 **REQUIREMENTS FOR SIGNATURES CONTAINED IN THE PETITION; AND**

24 **(II) SIGNATURE PAGES CONTAINING NOT LESS THAN THE TOTAL**  
25 **NUMBER OF SIGNATURES EQUAL TO 3% OF THE TOTAL STUDENT POPULATION OF**  
26 **ANNE ARUNDEL COUNTY PUBLIC SCHOOLS AS DETERMINED BY THE COUNTY**  
27 **SUPERINTENDENT ON SEPTEMBER 30 OF THE SCHOOL YEAR DURING WHICH THE**  
28 **PETITION IS BEING CIRCULATED.**

29 **(2) THE SIGNATURE OF AN INDIVIDUAL SHALL BE VALID AND**  
30 **COUNTED IF THE INDIVIDUAL IS THE PARENT OR LEGAL GUARDIAN OF A STUDENT**  
31 **ENROLLED IN A PUBLIC SCHOOL IN ANNE ARUNDEL COUNTY.**

1           **(D) (1) ON RECEIPT OF A PETITION UNDER SUBSECTION (B) OF THIS**  
2 **SECTION, THE COUNTY BOARD PROMPTLY SHALL REVIEW THE PETITION FOR**  
3 **SUFFICIENCY REGARDING THE REQUIREMENTS OF SUBSECTION (C) OF THIS**  
4 **SECTION AND COUNT THE SIGNATURES CONTAINED IN THE PETITION.**

5           **(2) IF THE COUNTY BOARD DETERMINES THAT THE PETITION HAS**  
6 **SATISFIED ALL REQUIREMENTS ESTABLISHED BY LAW REGARDING THE PETITION,**  
7 **THE COUNTY BOARD SHALL:**

8                   **(I) ACCEPT THE PETITION; AND**

9                   **(II) WITHIN 2 BUSINESS DAYS AFTER ACCEPTANCE OF THE**  
10 **PETITION:**

11                           **1. SEND NOTICE TO THE SPONSOR OF THE PETITION;**  
12 **AND**

13                           **2. SCHEDULE A PUBLIC HEARING ON THE SUBJECT OF**  
14 **THE PETITION IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION.**

15           **(E) (1) THE COUNTY BOARD SHALL HOLD A PUBLIC HEARING ON THE**  
16 **CURRICULUM THAT IS THE SUBJECT OF AN ACCEPTED PETITION WITHIN A**  
17 **REASONABLE AMOUNT OF TIME NOT TO EXCEED 45 DAYS AFTER THE DATE ON**  
18 **WHICH THE COUNTY BOARD ACCEPTED THE PETITION.**

19           **(2) THE SPONSOR OF THE PETITION AND MEMBERS OF THE PUBLIC,**  
20 **INCLUDING PARENTS AND GUARDIANS OF STUDENTS IN A PUBLIC SCHOOL IN THE**  
21 **COUNTY, SHALL HAVE AN OPPORTUNITY TO TESTIFY AT THE PUBLIC HEARING.**

22           **(3) THE COUNTY SUPERINTENDENT OR OTHER APPROPRIATE**  
23 **ADMINISTRATOR SHALL HAVE THE OPPORTUNITY TO EXPLAIN AND DEFEND THE**  
24 **CURRICULUM THAT IS THE SUBJECT OF THE PETITION.**

25           **(F) (1) THE COUNTY BOARD SHALL:**

26                   **(I) PROVIDE ADVANCE PUBLIC NOTICE OF A HEARING HELD**  
27 **UNDER SUBSECTION (E) OF THIS SECTION; AND**

28                   **(II) BY MAJORITY VOTE DURING AN OPEN MEETING OF THE**  
29 **COUNTY BOARD HELD WITHIN 2 WEEKS AFTER THE PUBLIC HEARING ON THE**  
30 **CURRICULUM, MAKE A FINAL DETERMINATION REGARDING THE ACTION TO TAKE ON**  
31 **THE CURRICULUM.**

1           **(2) THE COUNTY BOARD MAY VOTE TO:**

2                   **(I) CONTINUE USING THE CURRICULUM;**

3                   **(II) MODIFY THE CURRICULUM; OR**

4                   **(III) REMOVE THE CURRICULUM.**

5           **(G) THE COUNTY BOARD SHALL:**

6                   **(1) PUBLISH A PLAIN LANGUAGE SUMMARY OF THE REGULATIONS**  
7 **ESTABLISHED UNDER SUBSECTION (H) OF THIS SECTION IN A PROMINENT LOCATION**  
8 **ON THE COUNTY BOARD'S WEBSITE; AND**

9                   **(2) PROVIDE WRITTEN NOTICE OF THE PROCESS ESTABLISHED**  
10 **UNDER THIS SECTION AND IN REGULATIONS TO EACH STUDENT AND THE PARENTS**  
11 **OR GUARDIANS OF EACH STUDENT IN A PUBLIC SCHOOL IN THE COUNTY WITHIN 30**  
12 **DAYS AFTER THE FIRST DAY OF EACH SCHOOL YEAR.**

13           **(H) THE COUNTY BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE**  
14 **PROVISIONS OF THIS SECTION.**

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
16 measure, is necessary for the immediate preservation of the public health or safety, has  
17 been passed by a ye and nay vote supported by three-fifths of all the members elected to  
18 each of the two Houses of the General Assembly, and shall take effect from the date it is  
19 enacted.