

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1287
Ways and Means

(Delegate Rose, *et al.*)

**Public Schools - Curricula and Instructional Materials - Required List of
Information (Curriculum Transparency Act of 2022)**

This bill requires that, beginning in the 2022-2023 school year, each local board of education must direct each public school in the county to create and update a detailed list of the curricula and instructional materials used in the school for that school year. Each public school must post a link to the list of curricula and instructional material on its website along with specified contact information and electronic complaint form. Beginning in 2023, each local board must report the number of complaints it received during the immediately preceding school year to the Maryland State Department of Education (MSDE) by August 1 each year, and MSDE must report complaint information to the General Assembly by September 1 each year. If a local board fails to comply with the bill's provisions, the State Superintendent of Schools, with the approval of the State Board of Education (SBE), must notify the Comptroller who must withhold 1% of State funding for each school that fails to provide the curricula and complaint information. **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: MSDE and the Comptroller's Office can make reports and withhold State funding from noncompliant school systems with existing resources.

Local Effect: Potential significant increase in local school expenditures in some jurisdictions beginning in FY 2023 to implement the bill's requirements. To the extent a local school system does not comply with the bill's requirements, State funding to local schools may be reduced. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The curricula and instructional material curated in a list annually and posted online must include the title, author, creator, and publisher of each book, periodical, treatise, article, recording, software, website, or paper used in the course.

Current Law: With the advice of the State Superintendent of Schools, SBE establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the regulations, bylaws, policies, and guidelines established by SBE, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction. Policies, rules, and regulations for the graduation of students from Maryland public schools are established by local boards of education and SBE.

Each local superintendent of schools must periodically certify to the State Superintendent that its program of instruction meets specified minimum criteria in specified subjects, including technology education, financial literacy, gifted and talented education, social science, career development, world languages, mathematics, physical education, and language arts/literacy.

Under the Blueprint for Maryland's Future (Chapter 36 of 2021), MSDE, in consultation with experienced teachers, must develop specified curriculum standards and curriculum resources that include specified elements and meet specified standards, for each subject at each grade level, that build on one another in logical sequence in core subjects. MSDE must submit the curriculum resources and curriculum standards developed to SBE for adoption.

Using specified assessments in specified core subjects, SBE must identify low-performing schools. If MSDE, based on a recommendation by the Expert Review Team, determines that a low-performing school's performance is largely due to curricular problems, then the school must use the model curriculum. Otherwise, local school systems and public schools are not required to adopt the curriculum standards and resources developed by MSDE. More information on MSDE's role in the curriculum development process can be found on its [website](#).

Local Fiscal Effect: Some local school systems already post curricula and related materials on their websites. However, this bill expands this practice by requiring that each public school post these materials on their website along with the title, author, creator, and publisher of each book, periodical, treatise, article, recording, software, website, or paper used in each course. As a result, some local school systems may require additional resources to ensure that each public school curate and post curricula and related materials on their website. This could potentially result in a significant increase in local school expenditures. For example, St. Mary's County Public Schools indicates that, even though

the school system already posts curricular standards and resources on its website, an additional staff member (administrator) will be required to facilitate the new tasks outlined by the legislation at an annual cost of \$118,800.

In addition to curating and posting specified curricula and instructional material, each local board of education must also create an electronic form so individuals can register complaints with the public school or school board and provide contact information for individuals at the local board and MSDE who can respond to inquiries related to curricula and instructional materials. Local school systems can likely generate the required complaint form and report the number of complaints received to MSDE annually with existing resources. If the volume of complaints and inquiries is low, existing school staff can likely respond to complaints; however, if the volume of complaints is significant, local school systems may need to hire additional staff to respond to questions, concerns and recommendations regarding curricula and instructional materials.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Comptroller's Office; Maryland State Department of Education; Montgomery County Public Schools; St. Mary's County Public Schools; Department of Legislative Services

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