

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 1058

(Senator Kramer, *et al.*)

Education, Energy, and the Environment

Ways and Means

Education - Curriculum Standards - Antihate and Holocaust Education (Educate to Stop the Hate Act)

This bill (1) establishes new statutory requirements and timelines for the development of curriculum and content standards in all subject areas by the Maryland State Department of Education (MSDE); (2) by January 1, 2025, requires MSDE to review, revise, and adopt new social studies curriculum standards to include antihate education, as specified; (3) requires each local board of education to establish curriculum guides and courses of study aligned with the content standards develop by MSDE; and (4) authorizes the State Superintendent to withhold State funds from a local school system if the local board of education fails to establish curriculum resources and courses of study aligned with the content standard and curriculum standards developed by MSDE. Beginning in the 2025-2026 school year, it is the intent of the General Assembly that public and specified nonpublic schools align their curricula with content and curriculum standards developed by MSDE, and other nonpublic schools are encouraged to incorporate related instruction. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: General fund expenditures increase an estimated \$236,600 in FY 2025 to develop social studies content standards, curriculum resources, and curriculum standards by January 1, 2025, as explained below. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	236,600	0	0	0	0
Net Effect	(\$236,600)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local school system expenditures increase, potentially meaningfully, in FY 2025 and 2026 to develop new curriculum guides and courses based on the updated content standards and curriculum standards (and implement the new standards) and to provide training for teachers. In future years, the impact on expenditures may be minimal, as discussed below. Revenues are likely not materially affected; however, to the extent that local school systems do not implement the curriculum, State funds may be withheld. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: “Content standards” means the statements for the program of instruction that describe the knowledge and skills students are expected to attain for each content area and grade level. “Curriculum resources” means guidance documents and frameworks used by a local school system to develop curricula to implement content standards. “Curriculum standards” means the statements that outline approaches to learning for each content area across grade levels.

The content standards and curriculum standards developed by MSDE for core subjects must (1) include evidence-based practices and the science of instruction to ensure that all students meet their full potential; (2) consider the impact on all students with a strategic focus on marginalized student groups; and (3) reflect the history of marginalized groups with particular consideration of the associated historical context and root causes. MSDE must review the content and curriculum standards at least every eight years and establish a process for maintaining stakeholder engagement during the review and development processes.

Antihate Curriculum Standards and Content Standards

By January 1, 2025, the State Board of Education (SBE) must (1) review, revise, and adopt social studies curriculum standards for the State’s comprehensive instructional program to include antihate education based on historical contexts of racism and prejudice; (2) develop and adopt interdisciplinary curriculum resources for antihate education using similar historical contexts; and (3) develop or revise and adopt specified social studies curriculum and content standards for different grade levels.

It is the intent of the General Assembly that, beginning in the 2025-2026 school year, all local boards of education and all nonpublic schools that hold a Certificate of Approval issued by SBE establish curriculum resources aligned with the content standards and curriculum standards established by SBE. Other nonpublic schools are *encouraged* to include

in the school's social studies and history curriculum at least a unit of instruction on the topics described.

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.

A local board of education must provide copies of curriculum guides and courses of study to any teacher or interested citizen.

Curriculum Standards for Core Subjects

MSDE must, in consultation with experienced and highly effective teachers, including teachers on the career ladder, develop curriculum standards and curriculum resources for each subject at each grade level. The standards and resources must build on one another in logical sequence in core subjects so that they may be used by local school systems and public school teachers.

The purpose of the curriculum standards and curriculum resources is to provide local school boards with technical assistance to inform high-quality instruction that will ultimately result in students meeting the college and career readiness standards established by MSDE. The curriculum resources developed for each core subject and grade level must include course syllabi, sample lessons, proficient student work examples with explanations for standards met, and curriculum units matching the syllabi. In creating these resources, MSDE can reference courses or units by teachers from within or outside the State, ensuring these models meet high-quality standards verified by EdReports or the Every Student Succeeds Act's evidence criteria. These curriculum units must be organized to form complete courses, ensuring a student who follows the sequence can meet the college and career readiness standards by the end of grade 10.

MSDE must submit curriculum resources and curriculum standards to SBE for adoption. SBE must establish a system of assessments to ensure that students are acquiring the knowledge contained in the curriculum standards in English, mathematics, science, and history or social studies.

Using the assessments, MSDE must identify low-performing schools. An Expert Review Team, under the supervision of MSDE, must visit schools identified as low performing. If MSDE, based on a recommendation of an Expert Review Team, determines that a school's low performance on assessments is, largely due to curricular problems, the school must

adopt the curriculum resources developed by MSDE. Otherwise, these provisions do not require a public school or local board of education to adopt MSDE’s curriculum standards and curriculum resources and may not be construed to restrict a local board’s authority to adopt curricula.

State-funded Education Programs

“State-funded education programs” is not defined in statute. The State provides aid to eligible nonpublic schools in the operating budget including funding for textbooks and technology and the Broadening Options and Opportunities for Students Today program. Capital funding is also provided to eligible nonpublic schools.

State Expenditures: MSDE advises that, to develop the elementary, middle, and high school social studies content standards, curriculum resources, and curriculum standards for social studies courses as specified in the bill by January 1, 2025, which is six months from the effective date of the bill, six consultants (two for each grade level) are required. Thus, general fund expenditures increase by \$236,550 in fiscal 2025, which reflects the bill’s July 1, 2024 effective date. This estimate reflects the cost of hiring six contractual staff to develop the content standards, curriculum resources, and curriculum standards. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Contractual Positions	6.0
Salaries and Fringe Benefits	\$196,254
Operating Expenses	<u>40,296</u>
Total FY 2025 MSDE General Fund Expenditures	\$236,550

This analysis assumes that the six contractual positions terminate January 1, 2025, following the completion of social studies content standards, curriculum resources, and curriculum standards for the elementary, middle, and high school social studies courses, as specified in the bill.

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State’s implementation of the federal Patient Protection and Affordable Care Act.

Other requirements of the bill, such as reviewing the content and curriculum standards for core subjects every eight years generally reflects current practice, and thus, can be accomplished using existing resources. It is assumed that local school systems establish the required curriculum resources and courses of study and thus, it is unlikely that funds will need to be withheld. Moreover, this requirement can be met with the resources already available.

Local Fiscal Effect: Under the bill, local school systems must establish curriculum resources and courses of study aligned with the content standards and curriculum standards developed by MSDE. If a local board fails to meet this requirement, the State Superintendent of Schools may withhold funds. The bill does not establish a due date for this requirement beyond the effective date of the bill, which is July 1, 2024. Thus, it is assumed that local school systems must implement the comprehensive social studies curriculum beginning with the 2025-2026 school year (fiscal 2026). Thus, local school system expenditures increase, potentially meaningfully, in fiscal 2025 and 2026 to develop curriculum based on the revised curriculum content. Anne Arundel County Public Schools (AACPS) has estimated one-time costs of \$69,600 for fiscal 2025 and 2026. The one-time costs include \$3,600 for curriculum development, \$3,600 for a review committee, and \$62,400 for professional development. AACPS advises that there are additional costs to purchase new materials of instruction aligned with the standards, which cannot be reliably estimated.

It is assumed that future year impacts on curriculum and training are minimal in fiscal 2027 and beyond. However, if funds are available, annual training will be enhanced.

It is assumed that local school systems establish curriculum resources and courses of study aligned with the content standards and curriculum standards developed by MSDE. Thus, it is unlikely that local school system revenues are affected. However, to the extent that a local school system fails to meet the specified requirements of the bill, local school system revenues may decrease.

Additional Comments: Beginning in the 2025-2026 school year, a nonpublic school that holds a Certificate of Approval must establish curriculum resources aligned with the content standards and curriculum standards established by SBE by January 1, 2025. Nonpublic schools operated by registered *bona fide* church organizations are encouraged to include at least a unit of instruction on specific topics within the school's social studies and history curriculum. As a result, nonpublic school expenditures are likely to increase in fiscal years 2025 and 2026 to develop and implement the content and curriculum standards for comprehensive instruction in social studies as required by the bill. However, a cost estimate cannot be reliably determined. Costs in future years are likely to be minimal.

The bill may conflict with provisions of current law discussed above. The bill allows the State Superintendent of Schools to withhold State funds if a local board of education fails to establish curriculum resources and courses of study aligned with the content standards and curriculum standards developed by MSDE. However, according to current law, a public school or local board of education is not required to adopt MSDE's curriculum standards and curriculum resources, and current law may not be construed to restrict a local board's authority to adopt curricula, unless MSDE, based on the recommendation of an Expert Review Team, determines that a school's low performance on State assessments is

largely due to curricula problems. These restrictions on MSDE's authority are not repealed by the bill.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1181 (Delegate Wilson) - Ways and Means.

Information Source(s): Maryland State Department of Education; Anne Arundel County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2024
km/mcr Third Reader - March 26, 2024
Revised - Amendment(s) - March 26, 2024

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