

HOUSE BILL 1430

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4lr2275

By: **Delegates Miller, Alston, Arian, Baker, Bouchat, Buckel, Griffith, Hornberger, McComas, Reilly, Rose, Tomlinson, Valentine, and Wivell**

Introduced and read first time: February 9, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Public Schools – Parents’ Rights**
3 **(Education Bill of Rights for Families Act)**

4 FOR the purpose of providing that parents of children in public schools have certain rights
5 regarding information and communication from the children’s local school system
6 about education and school-related topics; and generally relating to parents’ rights
7 in education.

8 BY adding to
9 Article – Education
10 Section 7–135
11 Annotated Code of Maryland
12 (2022 Replacement Volume and 2023 Supplement)

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

15 **Article – Education**

16 **7–135.**

17 **(A) IN THIS SECTION, “PARENT” MEANS:**

18 **(1) A CHILD’S NATURAL OR ADOPTIVE PARENTS, A GUARDIAN,**
19 **INCLUDING A STANDBY GUARDIAN AS DEFINED IN § 13–901 OF THE ESTATES AND**
20 **TRUSTS ARTICLE, OR A STEPPARENT WITH WHOM THE CHILD LIVES;**

21 **(2) A FOSTER PARENT WITH WHOM A CHILD LIVES IF THE FOSTER**
22 **PARENT HAS BEEN GRANTED LIMITED GUARDIANSHIP FOR EDUCATIONAL DECISION**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 MAKING PURPOSES BY THE COURT THAT PLACED THE CHILD IN FOSTER CARE;

2 (3) ANOTHER INDIVIDUAL WHO IS LEGALLY RESPONSIBLE FOR THE
3 CHILD'S WELFARE; OR

4 (4) A PARENT SURROGATE APPOINTED IN ACCORDANCE WITH §
5 8-412 OF THIS ARTICLE.

6 (B) EXCEPT AS OTHERWISE PROHIBITED BY STATE OR FEDERAL LAW, EACH
7 PARENT HAS THE RIGHT TO:

8 (1) ENROLL THE PARENT'S CHILD IN A PUBLIC SCHOOL OR, AS AN
9 ALTERNATIVE, A PRIVATE SCHOOL, INCLUDING A RELIGIOUS SCHOOL, A HOME
10 EDUCATION PROGRAM, A CHARTER SCHOOL, OR A VIRTUAL SCHOOL;

11 (2) ACCESS ALL SCHOOL ATTENDANCE AND ACADEMIC RECORDS
12 RELATING TO THE PARENT'S CHILD;

13 (3) REVIEW ALL SCHOOL HEALTH OR MEDICAL RECORDS OF THE
14 PARENT'S CHILD; AND

15 (4) BE PROMPTLY NOTIFIED IF AN EMPLOYEE OF A LOCAL SCHOOL
16 SYSTEM SUSPECTS THAT A CRIMINAL OFFENSE HAS BEEN COMMITTED AGAINST THE
17 PARENT'S CHILD.

18 (C) EACH LOCAL SCHOOL SYSTEM SHALL:

19 (1) PROVIDE THE PARENTS OF STUDENTS WITH OPPORTUNITIES
20 EACH QUARTER TO:

21 (I) IMPROVE COMMUNICATION AND COOPERATION BETWEEN
22 PARENTS AND TEACHERS IN AREAS INCLUDING HOMEWORK, SCHOOL ATTENDANCE,
23 AND STUDENT DISCIPLINE; AND

24 (II) LEARN THE STUDENT'S COURSE OF STUDY, INCLUDING THE
25 SOURCE OF ANY SUPPLEMENTAL EDUCATIONAL MATERIALS;

26 (2) INFORM PARENTS IN ADVANCE OF ANY INSTRUCTION OR LESSONS
27 RELATED TO FAMILY LIFE AND HUMAN SEXUALITY, COMPREHENSIVE SEXUAL
28 HEALTH EDUCATION, OR HIV PREVENTION EDUCATION;

29 (3) INFORM PARENTS OF THE PROCESS NECESSARY TO OPT THEIR
30 CHILD OUT OF ANY INSTRUCTION OR LESSONS REGARDING THE TOPICS DESCRIBED

1 UNDER ITEM (2) OF THIS SUBSECTION; AND

2 (4) DISTRIBUTE AN ANNUAL NEWSLETTER TO PARENTS THAT
3 DESCRIBES THE NATURE AND PURPOSE OF SCHOOL CLUBS AND ACTIVITIES.

4 (D) A LOCAL SCHOOL SYSTEM SHALL, IF APPLICABLE, POST INFORMATION
5 ON ITS WEBSITE REGARDING:

6 (1) PROCEDURES FOR OPTING OUT OF THE FAMILY LIFE AND HUMAN
7 SEXUALITY, COMPREHENSIVE SEXUAL HEALTH EDUCATION, AND HIV PREVENTION
8 EDUCATION INSTRUCTION OR LESSONS;

9 (2) SCHOOL CHOICE OPTIONS OFFERED BY THE LOCAL SCHOOL
10 SYSTEM, INCLUDING:

11 (I) CHARTER SCHOOLS;

12 (II) DUAL ENROLLMENT; AND

13 (III) CAREER AND TECHNICAL EDUCATION;

14 (3) IMMUNIZATION REQUIREMENTS;

15 (4) STATEWIDE STANDARDIZED ASSESSMENT RESULTS;

16 (5) QUALIFICATIONS FOR GIFTED OR SPECIAL EDUCATION
17 PROGRAMS;

18 (6) ACCESS TO SUPPORT FOR 504 PLANS AND INDIVIDUALIZED
19 EDUCATION PROGRAMS;

20 (7) HOW TO ACCESS INSTRUCTIONAL MATERIALS, INCLUDING
21 CURRICULUM MATERIALS;

22 (8) ACCESS TO THE LOCAL SCHOOL SYSTEM'S POLICIES FOR SCHOOL
23 PERSONNEL PROMOTION OR RETENTION;

24 (9) CONSISTENT WITH FEDERAL AND STATE LAW, ACCESS TO THE
25 STUDENT'S REPORT CARD AND ATTENDANCE RECORDS;

26 (10) INSTRUCTIONS AND LINKS TO ACCESS IMPORTANT SCHOOL
27 SYSTEM POLICIES, INCLUDING THE STATE DEPARTMENT OF EDUCATION,
28 MARYLAND COLLEGE AND CAREER READINESS STANDARDS, STUDENT

1 ATTENDANCE REQUIREMENTS, AND ANY CURRICULUM STANDARDS;

2 (11) INFORMATION REGARDING PARENT-TEACHER ASSOCIATIONS;
3 AND

4 (12) CONSISTENT WITH FEDERAL AND STATE LAW, PROCEDURES, IF
5 ANY, FOR OPTING OUT OF STUDENT DATA COLLECTION.

6 (E) (1) THIS SECTION MAY NOT BE CONSTRUED TO AUTHORIZE A PARENT
7 OF A MINOR CHILD IN THE STATE TO ENGAGE IN CONDUCT THAT IS UNLAWFUL OR
8 TO ABUSE OR NEGLECT THE PARENT'S MINOR CHILD IN VIOLATION OF STATE LAW.

9 (2) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN
10 EMPLOYEE OF A LOCAL SCHOOL SYSTEM OR NONPUBLIC SCHOOL FROM ACTING IN
11 THE EMPLOYEE'S OFFICIAL CAPACITY WITHIN THE SCOPE OF THE EMPLOYEE'S
12 AUTHORITY.

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