



MARYLAND

Maryland Sexuality Education Law and Policy

There is no state law governing sex education in Maryland; however, Maryland's Code of Administrative Regulations mandates that each local school board work with its county health department in establishing a school health education program with a number of specified goals.¹ Sexuality education is included under the goal of helping students “recognize the family as a basic unit of society that perpetuates life and promotes healthy growth and development.” Accordingly, schools must help students:

- develop and use skills for making responsible decisions about sexual behavior based on its consequences for the individual and others;
- develop and use skills for making responsible decisions about family planning and preventing pregnancy; and
- learn about a variety of family structures and roles of family members, male and female roles in American society, sexual variations, contraception, and family planning.²

Maryland requires that health education classes be taught in kindergarten through grade 12. Direct teaching of human reproduction, however, may not begin earlier than age 10 or later than age 12.”³ The Code of Administrative Regulations also mandates that “local school systems shall provide annual instruction in AIDS to all students at least once in grades three to six, six to nine, and nine to twelve.”⁴ Each local school board determines the actual grade.

In addition, regulations state that an elective sexuality education course must be offered in middle and high schools. This course must be designed with an appointed citizen advisory committee that broadly represents the views of the community and must cover a number of topics including contraception, family planning, and sexually transmitted diseases (STDs). Students may be separated by gender for instruction regarding human sexuality, but must receive the same information.

Local school boards are empowered to determine the criteria for selecting teachers of sexuality education classes; however, teachers must have additional preparation, which can include both educational and professional development opportunities, prior to teaching the class. Any teacher who feels “inadequate or uncomfortable” with the curriculum does not have to teach the class.

Parents or guardians may remove their children from any or all sexuality education classes. This is referred to as an “opt-out” policy. The elective courses offered in middle and high schools require parental permission in order for a student to participate, this is known as an “opt-in” policy.

See Maryland Code of Administrative Regulations §§ 13A.04.18.02–.04.

Recent Legislation

SIECUS is not aware of any proposed legislation regarding sexuality education in Maryland.

Maryland's Youth: Statistical Information of Note⁵

- In 2009, 86% of high school students in Maryland reported having been taught about AIDS/HIV in school compared to 87% of high school students nationwide.

Maryland Youth Sexual Health Statistics

Teen Pregnancy, Birth, and Abortion

- Maryland's teen pregnancy rate ranks 24th in the U.S., with a rate of 65 pregnancies per 1,000 young women ages 15–19 compared to the national rate of 70 pregnancies per 1,000.⁶ There were a total of 12,870 pregnancies among young women ages 15–19 reported in 2005, the most recent year for which data are available, in Maryland.⁷
- Maryland's teen birth rate ranked 38th in the U.S. in 2005, with a rate of 31.8 births per 1,000 young women ages 15–19 compared to the national rate of 40.5 births per 1,000.⁸ In 2005, there were a total of 6,282 live births reported to young women ages 15–19 in Maryland.⁹
- In 2006, the U.S. teen birth rate increased for the first time in 15 years by 3% from 40.5 to 41.9 births per 1,000 young women ages 15–19, after having steadily declined between 1991 and 2005.¹⁰ In contrast, Maryland's teen birth rate increased 6% between 2005 and 2006, from 31.8 to 33.6 births per 1,000 young women ages 15–19.¹¹
- Maryland's teen abortion rate ranks 37th in the U.S., with a rate of 8 abortions per 1,000 young women ages 15–19 compared to the national rate of 19 abortions per 1,000. In 2005, there were a total of 1,175 abortions reported among young women ages 15–19 in Maryland.¹²

HIV and AIDS

- Maryland's AIDS rate ranks 3rd in the U.S., with a rate of 24.8 cases per 100,000 population compared to the national rate of 12.5 cases per 100,000.¹³
- Maryland ranks 7th in number of reported AIDS cases in the U.S. among all age groups. In 2007, there were a total of 1,394 new AIDS cases reported in Maryland.¹⁴
- Maryland ranks 5th in number of reported AIDS cases in the U.S. among young people ages 13–19. In 2007, there were a total of 35 AIDS cases reported among young people ages 13–19 in Maryland.¹⁵

Sexually Transmitted Diseases

- Maryland ranks 10th in reported cases of Chlamydia among young people ages 15–19 in the U.S., with an infection rate of 24.44 cases per 1,000 compared to the national rate of 19.51 cases per 1,000. In 2008, there were a total of 9,978 cases of Chlamydia reported among young people ages 15–19 in Maryland.¹⁶
- Maryland ranks 19th in reported cases of gonorrhea among young people ages 15–19 in the U.S., with an infection rate of 5.24 cases per 1,000 compared to the national rate of 4.52 cases per 1,000. In 2008, there were a total of 2,140 cases of gonorrhea reported among young people ages 15–19 in Maryland.¹⁷
- Maryland ranks 12th in reported cases of primary and secondary syphilis among young people ages 15–19 in the U.S., with an infection rate of 0.04 cases per 1,000, which is equal to the national rate of 0.04 cases per 1,000. In 2008, there were a total of 17 cases of syphilis reported among young people ages 15–19 in Maryland.¹⁸

Comprehensive Approaches to Sex Education

SIECUS has identified some examples of model programs, policies, and best practices being implemented in Maryland public schools that provide a more comprehensive approach to sex education for young people.¹⁹

Comprehensive Sex Education Programs in Public Schools

Montgomery County Public Schools

The Montgomery County school district provides comprehensive sexuality education to students in grades eight and ten that includes instruction on healthy relationships, reproductive anatomy and the menstrual cycle, reproduction, fetal development and gestation, prenatal care, the responsibilities of parenting, the impact of teenage pregnancy, factors that influence sexual behavior, setting effective limits for sexual activity, and contraception methods, including potential side effects and benefits, among other topics.²⁰

Advocates and educators have been working to implement such a program since 2004 when the district faced an intense controversy over its decision to revise the sexuality education curriculum to include information on gender identity, sexual orientation, and homosexuality. The curriculum spoke positively of homosexuality while also providing additional information on the importance of contraceptives in protecting the health of sexually active students.²¹

Local and national opposition groups protested the new curriculum and led a campaign opposing the positive viewpoint of homosexuality that it offered. The opposition groups, including Citizens for a Responsible Curriculum and Parents and Friends of Ex-Gays and Gays (P-Fox), filed a lawsuit against the school district. A federal judge ruled to block implementation of the new curriculum in spring 2005 due to his assessment that the curriculum presented homosexuality as a “natural and morally correct lifestyle” to the exclusion of all other viewpoints on the subject.²² Following the ruling, the school board voted to discontinue the controversial curriculum and create another sexuality education curriculum.²³

In 2007, the school board unanimously approved a new, revised sexuality education program for students as part of the Family Life and Human Sexuality unit of eighth and tenth grade health courses. The program utilizes locally produced curriculum lessons titled, “Respect for Differences in Human Sexuality.” In eighth grade, this two-part lesson addresses the impact of stereotyping and harassment, “the positive results of respect, empathy, and tolerance on individuals and the school environment,” discusses gender identity, sexual identity, and sexual orientation, and examines the harmful effects of stereotyping people based on gender, sexual identity, and sexual orientation.²⁴ The tenth grade lesson expands upon these concepts, including addressing transgenderism.²⁵ The tenth grade program materials also include a condom demonstration DVD. The revised curriculum was first piloted during the 2007 spring semester.²⁶

We encourage you to submit any updated or additional information on comprehensive approaches to sex education being implemented in Maryland public schools for inclusion in future publications of the SIECUS State Profiles. Please visit SIECUS’ “Contact Us” webpage at www.siecus.org to share information. Select “state policy” as the subject heading.

Federal Funding for Abstinence-Only-Until-Marriage Programs

The Department of Health and Mental Hygiene and community-based organizations in Maryland received \$2,485,126 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2009.²⁷

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Title V Abstinence-Only-Until Marriage Funding

- Maryland received \$210,371 in federal Title V abstinence-only-until-marriage funding in Fiscal Year 2009. Due to the expiration of the grant program on June 30, 2009, three months prior to the end of the federal fiscal year, the state received three quarters of the total funding allocated for the full fiscal year.
- The Maryland Department of Health and Public Hygiene distributes federal Title V abstinence-only-until-marriage funds to 13 sub-grantees, all of which are county health departments.
- The Title V abstinence-only-until marriage grant required states to provide three state-raised dollars or the equivalent in services for every four federal dollars received. The state match could have been provided in part or in full by local groups.
- In Maryland, sub-grantees contributed to the match through direct revenue.

Community-Based Abstinence Education (CBAE) Funding

- Organizations in Maryland received \$1,799,800 in CBAE funding for Fiscal Year 2009.
- There are three CBAE grantees in Maryland, including two faith-based organizations and one community-based organization.

Adolescent Family Life Act (AFLA) Funding

- There is one AFLA grantee in Maryland, Hope Worldwide, which received \$474,955 in AFLA funding for Fiscal Year 2009.

Abstinence-Only-Until-Marriage Curricula Used by Grantees

Some abstinence-only-until-marriage grantees in Maryland use commercially available curricula. These include, but are not limited to:

- *A.C. Green’s Game Plan*
- *Navigator*

To read reviews of abstinence-only-until-marriage curricula commonly used by federal grantees please visit the “Curricula and Speaker Reviews” webpage of SIECUS’ Community Action Kit at www.communityactionkit.org.

Federal Funding for Abstinence-Only-Until-Marriage Programs in FY 2009²⁸

Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Maryland Department of Health and Mental Hygiene www.dhmh.state.md.us	\$210,371 (federal grant)		
Allegany County Health Department www.alleganyhealthdept.com	\$10,000 (sub-grant)		

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Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Baltimore City Health Department www.baltimorehealth.org	\$55,000 (sub-grant)		
Carroll County Health Department www.carrollhealthdepartment.dhmh.md.gov	\$10,000 (sub-grant)		
Calvert County Health Department www.calverthealth.org	\$10,000 (sub-grant)		
Charles County Health Department www.charlescountyhealth.org	\$10,000 (sub-grant)		
The Cumberland YMCA www.cumberlandymca.org		\$600,000 (2007–2012)	
Dorchester County Health Department www.dorchesterhealth.org	\$10,000 (sub-grant)		
Frederick County Health Department www.frederickcountymd.gov	\$24,000 (sub-grant)		
Garrett County Health Department www.garretthealth.org	\$18,500 (sub-grant)		
Hope Worldwide www.hopeww.org			\$474,955 (2007–2012)

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Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Morning Star Baptist Church www.msbcministries.org		\$599,800 (2007–2012)	
Somerset County Health Department www.somersethd.org	\$10,000 (sub-grant)		
Talbot County Health Department www.talbothealth.org	\$10,000 (sub-grant)		
Washington County Health Department www.washhealth.org	\$10,000 (sub-grant)		
Wicomico County Health Department www.wicomicohealth.org	\$24,000 (sub-grant)		
Worcester County Health Department www.worcesterhealth.org	\$30,000 (sub-grant)		
ZOPSmgmt Firm, Inc. www.zopsmgmt.com		\$600,000 (2007–2012)	

Adolescent Health Contact²⁹

Christine Evans
 Adolescent Health Coordinator
 Center for Maternal and Child Health
 Department of Health and Mental Hygiene
 201 West Preston Street
 Baltimore, MD 21201
 Phone: (410) 767-6042

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Maryland Organizations that Support Comprehensive Sexuality Education

Equality Maryland
1201 South Sharp Street, Suite 109
Baltimore, MD 21230
Phone: (410) 685-6567
www.equalitymaryland.org

The GLBT Community Center of
Baltimore and Central Maryland
241 West Chase Street
Baltimore, MD 21201
Phone: (410) 837-5445
www.glccb.org

LGBT Studies Program at the University of
Maryland
2212 Marie Mount Hall
University of Maryland
College Park, MD 20742
Phone: (301) 405-6349
www.lgbts.umd.edu

Maryland National Organization for Women
P.O. Box 253
Timonium, MD 21094
410-668-4399
www.marylandnow.org

NARAL Pro-Choice Maryland
8121 Georgia Avenue, Suite 501
Silver Spring, MD 20910
Phone: (301) 565-4154
www.prochoicemaryland.org

Planned Parenthood of Maryland Inc.
330 North Howard Street
Baltimore, MD 21201
Phone: (410) 576-1400
www.plannedparenthoodmd.org

Maryland Organizations that Oppose Comprehensive Sexuality Education

Association of Maryland Families
P.O. Box 106
Annapolis, MD 21404
Phone: (410) 705-6360
www.mdfamilies.org

Maryland Right to Life
700 Melvin Avenue, Suite 1
Annapolis, MD 21401
Phones: (410) 269-6397
www.mdrtl.org

Newspapers in Maryland³⁰

The Baltimore Sun
Newsroom
501 North Calvert Street
Baltimore, MD 21202
Phone: (410) 332-6000
www.baltimoresun.com

The Washington Post
Newsroom (MD)
1150 15th Street, NW
Washington, DC 20071
Phone: (202) 334-7313
www.washingtonpost.com

The Capital
Newsroom
2000 Capital Drive
Annapolis, MD 21401
Phone: (410) 280-5919
www.hometownannapolis.com

Carroll County Times
Newsroom
201 Railroad Avenue
Westminster, MD 21157
Phone: (410) 857-7861
www.carrollcountytimes.com

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The Frederick News-Post
Newsroom
200 East Patrick Street
Frederick, MD 21701
Phone: (301) 662-1177
www.fredericknewspost.com

The Morning Herald
Newsroom
100 Summit Avenue
Hagerstown, MD 21740
Phone: (301) 733-5131
www.herald-mail.com

Political Blogs in Maryland

Free State Politics
www.freestatepolitics.us

Just up the Pike
www.justupthepike.com

Maryland Politics Watch
www.maryland-politics.blogspot.com

The Tentacle
www.thetentacle.com

¹ Maryland Regulations 13A.04.18.04

² Maryland Regulations 13A.04.18.02, Section F, <<http://www.dsd.state.md.us/comar/getfile.aspx?file=13a.04.18.02.htm>>.

³ Maryland Regulations 13A.04.18.03, Section B-2(a), <<http://www.dsd.state.md.us/comar/getfile.aspx?file=13a.04.18.03.htm>>.

⁴ Maryland Regulations 13A.04.18.04, Section A-2, <<http://www.dsd.state.md.us/comar/getfile.aspx?file=13a.04.18.04.htm>>.

⁵ Danice K. Eaton, et. al., “Youth Risk Behavior Surveillance—United States, 2009,” *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 59, no. SS-5 (4 June 2010): 98–109, accessed 4 June 2010, <<http://www.cdc.gov/mmwr/pdf/ss/ss5905.pdf>>. Note: Maryland did not participate in the full 2009 YRBS.

⁶ *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, (Washington, DC: Guttmacher Institute, January 2010), accessed 5 March 2010, <<http://www.guttmacher.org/pubs/USTPTrends.pdf>>, Table 3.1.

⁷ *Ibid.*, Table 3.2.

⁸ Joyce A. Martin, et. al., “Births: Final Data for 2006,” *National Vital Statistics Reports*, vol. 57, number 7 (Hyattsville, MD: Centers for Disease Control and Prevention, 7 January 2009), accessed 5 March 2010, <http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57_07.pdf>, Table B.

⁹ *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.2.

¹⁰ Martin, et. al., “Births: Final Data for 2006,” 4.

¹¹ *Ibid.*, Table B.

¹² *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.5.

¹³ *Ibid.*; “AIDS Case Rate per 100,000 Population, All Ages, 2007,” (Menlo Park, CA: Kaiser Family Foundation), accessed 5 March 2010, <<http://www.statehealthfacts.org/comparetable.jsp?ind=513&cat=11&sub=120&yr=62&typ=1&sort=a>>.

¹⁴ *Ibid.*, Table 16.

¹⁵ Slide 15: “Reported AIDS Cases among Adolescents 13 to 19 Years of Age, 2007—United States and Dependent Areas,” *HIV/AIDS Surveillance in Adolescents and Young Adults (through 2007)*, (Atlanta, GA: Centers for Disease Control and Prevention, May 2009), accessed 25 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/slides/adolescents/index.htm>>.

¹⁶ “Wonder Database: Selected STDs by Age, Race/Ethnicity, and Gender, 1996-2008 Results,” (Atlanta, GA: Centers for Disease Control and Prevention), 30 June 2009, accessed 5 March 2010, <<http://wonder.cdc.gov/>>; see also Table 10: “Chlamydia: Reported Cases and Rates Per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, (Atlanta, GA: Centers for Disease Control and Prevention, Division of STD Prevention, November 2009), accessed 5 March 2010, <<http://www.cdc.gov/std/stats08/surv2008-Complete.pdf>>, 95.

¹⁷ *Ibid.*; see also Table 20: “Gonorrhea—Reported Cases and Rates per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, 106.

¹⁸ *Ibid.*; see also Table 33: “Primary and Secondary Syphilis—Reported Cases and Rates per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, 121.

¹⁹ This is by no means a complete list of all comprehensive programming and policies related to sexuality education, but rather some examples of best practices and model programs that SIECUS identified.

²⁰ “Comprehensive Health Education in Grade 8,” Montgomery County Public Schools, accessed 27 May 2010, <<http://www.montgomeryschoolsmd.org/curriculum/health/middle/grade8/>>; see also “Comprehensive Health Education in Grade 10,” Montgomery County Public Schools, accessed 27 May 2010, <<http://www.montgomeryschoolsmd.org/curriculum/health/high/grade10/>>.

²¹ Daniel de Vise, “Board of Education Approves New Sex-Ed Curriculum,” *Washington Post*, 10 January 2007, accessed 27 May 2010, <<http://www.washingtonpost.com/wp-dyn/content/article/2007/01/09/AR2007010901707.html>>; see also “Montgomery County School Board Approves New Sexuality Education Curriculum,” SIECUS Policy Update, February 2007, accessed 27 May 2010, <<http://www.siecus.org/index.cfm?fuseaction=Feature.showFeature&featureid=970&pageid=483&parentid=478>>.

²² de Vise, “Board of Education Approves New Sex-Ed Curriculum;” see also, “Montgomery County, MD Cancels Controversial Sexuality Education Program,” SIECUS Policy Update, May 2005, accessed 27 May 2010, <<http://www.siecus.org/index.cfm?fuseaction=Feature.showFeature&featureid=1274&pageid=483&parentid=478>>.

²³ Ibid.

²⁴ “Respect for Differences in Human Sexuality Lesson,” Family Life and Human Sexuality Unit, Grade 8—Session 1, Health Education, (Montgomery County, MD: Montgomery County Public Schools, 2006) accessed 27 May 2010, <<http://www.mcpscurriculum.com/pdf/Grade8-Sec1.pdf>>.

²⁵ “Voices: Personal Statements on Being Different,” Handout, Respect for Differences in Human Sexuality Lesson, Family Life and Human Sexuality Unit, Grade 10, Health Education, (Montgomery County, MD: Montgomery County Public Schools, 2006), 27 May 2010, <<http://www.mcpscurriculum.com/pdf/10gradestories5.pdf>>.

²⁶ de Vise, “Board of Education Approves New Sex-Ed Curriculum.”

²⁷ This refers to the federal government’s fiscal year, which begins on October 1st and ends on September 30th. The fiscal year is designated by the calendar year in which it ends; for example, Fiscal Year 2009 began on October 1, 2008 and ended on September 30, 2009.

²⁸ Through the Fiscal Year 2010 appropriations process, Congress eliminated all discretionary funding for abstinence-only-until-marriage programs, including the entire CBAE program and the abstinence-only-until-marriage portion of AFLA. The grant years listed in the chart reflect the years for which funding was originally approved; however, the grants effectively ended in Fiscal Year 2009.

²⁹ SIECUS has identified this person as a state-based contact for information on adolescent health and if applicable, abstinence-only-until-marriage programs.

³⁰ This section is a list of major newspapers in your state with contact information for their newsrooms. This list is by no means exhaustive and does not contain the local level newspapers which are integral to getting your message out to your community. SIECUS strongly urges you to follow stories about the issues that concern you on the national, state, and local level by using an internet news alert service such as [Google alerts](#), becoming an avid reader of your local papers, and establishing relationships with reporters who cover your issues. For more information on how to achieve your media goals visit the SIECUS [Community Action Kit](#).