

# State Profiles

## Maryland State Profile



### Maryland's State of Sex Ed

Maryland schools are required to teach sex education. This sex education, however, is not required to align with the [National Sex Education Standards](#).

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B

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Requirement

B-

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## Current Requirements

- Curriculum must teach that abstinence is the best method for preventing unintended pregnancy and STIs.
- Curriculum must include inclusive instruction on sexual orientation and gender identity.
- Curriculum must include instruction on consent.
- Schools must provide parents or guardians the opportunity to view all instructional materials prior to their use and parents or guardians may remove their children from any or all “Family Life and Human Sexuality” classes. This is referred to as an “opt-out” policy.
- Instruction on contraception and condoms must be medically accurate.

## RECENT LEGISLATION SHAPING THE STATE LANDSCAPE

Advocates continue to work diligently to further advance sex education in Maryland. In 2022, advocates introduced [House Bill 194](#) to add age-appropriate education on sexting to sex education curriculum. While ultimately unsuccessful, this bill represents lawmakers’ continued efforts to improve sex education curriculum in Maryland. Despite this, Maryland experienced some of the 2022 wave of coordinated state legislation attacking sex education and other inclusive programs in schools. For example, bills restricting the participation of transgender youth athletes in schools were introduced alongside so-called “parental rights” legislation that sought to stigmatize inclusive education.

In 2019, 25 state delegates and 13 state senators [wrote a letter](#) to the Superintendent of Maryland Schools to emphasize the importance of including curriculum that highlights the history of LGBTQAI+ and disability rights movements. In response, the Maryland Department of Education [indicated](#) that they have begun the process of implementing such curriculum. While this advancement does not directly impact sex education in Maryland, it demonstrates an important step toward recognizing the value of inclusive curriculum.

The Maryland Health Education Framework (recommendations for health education curriculum) includes instruction on sexual orientation, gender

identity, and cultural responsiveness to meet the needs of young people of color. Unfortunately, local control over curriculum and limited enforcement still present unique challenges that have resulted in a glaring disparity regarding the quality of sex education that students receive. Such discretion allows for the implementation of policies and curriculum that stigmatize marginalized youth, such as students of color and LGBTQAI+ youth, and presents further challenges in ensuring that low income districts have access to the resources needed to implement sex education.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. After contacting their local school board, advocates can determine if the curriculum is required to be comprehensive or identify what topics are missing from instruction, such as sexual orientation, gender identity, contraceptive options, or healthy relationships. They can then vocalize the important need for advancing sex education requirements in their community. Further, advocates can contact their representatives to discuss the critical need for advancing such requirements statewide. Advocates are encouraged to take action on pending legislation that seeks to advance or restrict the principles of sex education. For a current overview of pending legislation, see table below. Advocates are encouraged to use the SIECUS [Community Action Toolkit](#) to guide local efforts to advance sex education and to reach out to [EducateUs](#) to get connected to local advocacy groups.

## **More on sex ed in Maryland...**

### **State Law: A Closer Look**

[Maryland Code of Public General Laws §7-401](#) requires instruction in health education and the joint development of standards and guidelines for school health programs by the Departments of Education and Health and Mental Hygiene. The Administrative Regulation fulfilling this requirement, [Md. Code Regs. 13A.04.18.01](#), mandates that each local school board work with its county health department to establish a broad school health education program, including “Family Life and Human Sexuality” and “Disease Prevention and Control” instruction, both of which encompass sex education topics, including

human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS) education. The goals are to enable students to “demonstrate the ability to use human development knowledge, social skills, and health enhancing strategies to promote positive relationships and healthy growth and development throughout the life cycle;” and to “demonstrate the ability to apply prevention and treatment knowledge, skills, and strategies to reduce susceptibility and manage disease.”

The family life and human sexuality component of Maryland’s health education instruction is required to “begin in or prior to the fifth grade,” and “as shortly in advance of puberty as is practical.” Determination of which grade is left to each local school board.

In 2016, legislators enacted House Bill 72. Known as “Erin’s Law,” it requires Maryland schools to provide age-appropriate instruction on sexual abuse and assault prevention.

In 2018, Maryland enacted Education Code § 7-445, requiring county boards of education to provide instruction on the meaning of consent, including respecting personal boundaries, in sex education classes.

Schools must provide parents or guardians the opportunity to view all instructional materials prior to their use and parents or guardians may remove their children from any or all “Family Life and Human Sexuality” classes. This is referred to as an “opt-out” policy.

## State Standards

Curriculum development is guided by Maryland’s health education standards, which are based on the National Health Education Standards. Family life and human sexuality are included in grades K-12. Sexual orientation, gender identity, contraception, HIV, and other sexually transmitted infections are all topics of instruction within this recommended framework.

## State Legislation

State legislative activity related to sex education does not take place in isolation from the broader embroiled political and policy climate. In 2022, a national wave of attacks on the rights of lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQAI+) individuals, attempts to restrict or prohibit instruction on “divisive concepts” such as “Critical Race Theory” (which is not taught in public schools), and efforts to limit access to abortion care and other reproductive healthcare services swept the country in an effort to prevent students from receiving sex education and accessing sexual and reproductive healthcare services. Below are highlights of current legislative activity related to these topics. **Maryland’s 2024 annual session convenes on January 10, 2024.**

## Youth Sexual Health Data

Young people are more than their health behaviors and outcomes. While data can be a powerful tool to demonstrate the sex education and sexual health care needs of young people, it is important to be mindful that these behaviors and outcomes are impacted by systemic inequities present in our society that affect an individual’s sexual health and well-being. To learn more about Maryland’s Youth Risk Behavior Survey (YRBS) results, [click here](#). At the time of publication, the 2021 YRBS data was not made available yet.

## Maryland School Health Profiles Data

In 2022, the Centers for Disease Control and Prevention (CDC) released the School Health Profiles, which measure school health policies and practices and highlight which health topics were taught in schools across the country. Since the data were collected from self-administered questionnaires completed by schools’ principals and lead health education teachers, the CDC notes that one limitation of the School Health Profiles is bias toward the reporting of more positive policies and practices. In the School Health Profiles, the [CDC identifies 22 sexual health education topics](#) as critical for ensuring a young person’s sexual health. Below are key instruction highlights for secondary schools in Maryland as reported for the 2019–2020 school year.

**Reported teaching all 22 critical sexual health education topics**

- 38.2% of Maryland secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 65.8% of Maryland secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching about the benefits of being sexually abstinent**

- 92.8% of Maryland secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 100% of Maryland secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy**

- 93.2% of Maryland secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 6, 7, or 8.
- 99.0% of Maryland secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching how to create and sustain healthy and respectful relationships**

- 92.7% of Maryland secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 6, 7, or 8.
- 100.0% of Maryland secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching about preventive care that is necessary to maintain reproductive and sexual health**

- 75.8% of Maryland secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 6, 7, or 8.
- 96.9% of Maryland secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a



required course in any of grades 9, 10, 11, or 12.

### **Reported teaching how to correctly use a condom**

- 51.2% of Maryland secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 86.8% of Maryland secondary schools taught students how to correctly use a condom in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching about methods of contraception other than condoms**

- 81.0% of Maryland secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 92.9% of Maryland secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching about sexual orientation and gender identity**

- 63.1% of Maryland secondary schools taught students about sexual orientation and gender identity in a required course in any of grades 6, 7, or 8.
- 85.9% of Maryland secondary schools taught students about sexual orientation and gender identity in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching about how gender roles and stereotypes affect goals, decision-making, and relationships**

- 73.1% of Maryland secondary schools taught students about gender roles and stereotypes in a required course in any of grades 6, 7, or 8.
- 83.9% of Maryland secondary schools taught students about gender roles and stereotypes in a required course in any of grades 9, 10, 11, or 12.

### **Reported providing curricula or supplementary materials relevant to lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth**

- 65.7% of Maryland secondary schools provided students with curricula or supplementary materials that included HIV, STD, or pregnancy prevention

information relevant to LGBTQ youth.

Visit the CDC's *School Health Profiles* report for additional information on school health policies and practices.

**The quality of sex education taught often reflects funding available for sex education programs. To learn more about federal funding streams, [click here](#).**



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