

Chapter 556

(House Bill 515)

AN ACT concerning

**Education – Student Athletes – Uniform Modifications for Modesty
(Inclusive Athletic Attire Act)**

FOR the purpose of requiring county boards of education, the Maryland Public Secondary Schools Athletic Association, governing bodies of public institutions of higher education, and boards of community college trustees to allow student athletes to modify an athletic or team uniform to make the attire more modest to conform to the requirements or preferences of the student athlete’s religion or culture or the student athlete’s own preferences for modesty; and generally relating to modifying athletic or team uniforms of student athletes.

BY adding to

Article – Education

Section 7–129, 15–134, and 16–110

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

7–129.

(A) IN THIS SECTION, “STUDENT ATHLETE” MEANS A STUDENT ENROLLED IN A HIGH SCHOOL WHO PARTICIPATES IN A HIGH SCHOOL ATHLETIC PROGRAM THAT IS A MEMBER OF THE MARYLAND PUBLIC SECONDARY SCHOOLS ATHLETIC ASSOCIATION.

(B) (1) A COUNTY BOARD AND THE MARYLAND PUBLIC SECONDARY SCHOOLS ATHLETIC ASSOCIATION SHALL ALLOW A STUDENT ATHLETE TO MODIFY THE ATHLETIC OR TEAM UNIFORM OF THE STUDENT ATHLETE IN A MANNER THAT MAKES THE STUDENT ATHLETE’S ATTIRE MORE MODEST TO CONFORM TO ~~THE~~:

(I) THE REQUIREMENTS OR PREFERENCES OF THE STUDENT ATHLETE’S RELIGION OR CULTURE; OR

(II) THE STUDENT ATHLETE’S OWN PREFERENCES FOR MODESTY.

(2) A STUDENT ATHLETE MAY NOT BE REQUIRED TO RECEIVE APPROVAL FROM A COACH, A TEACHER, A SCHOOL ADMINISTRATOR, OR THE COUNTY BOARD BEFORE MAKING THE UNIFORM MODIFICATION.

(C) (1) A MODIFICATION TO AN ATHLETIC OR TEAM UNIFORM MAY INCLUDE THE WEARING OF:

(I) A HEAD COVERING WORN FOR RELIGIOUS REASONS, INCLUDING A MUSLIM HIJAB, JEWISH KIPPAH, OR SIKH DASTAR;

(II) AN UNDERSHIRT; OR

(III) LEGGINGS.

(2) A MODIFICATION TO AN ATHLETIC OR TEAM UNIFORM MAY NOT:

(I) INTERFERE WITH THE MOVEMENT OF THE STUDENT ATHLETE; OR

(II) POSE A SAFETY HAZARD TO THE STUDENT ATHLETE, OTHER STUDENT ATHLETES, OR OTHERS.

(3) A STUDENT ATHLETE MAY MODIFY THE UNIFORM HEADGEAR IF THE MODIFIED HEADGEAR:

(I) IS BLACK, WHITE, THE PREDOMINANT COLOR OF THE UNIFORM, OR THE SAME COLOR AS THAT WORN BY ALL PLAYERS ON THE TEAM;

(II) DOES NOT COVER ANY PART OF THE FACE, UNLESS REQUIRED FOR THE SAFETY OF THE WEARER;

(III) IS NOT DANGEROUS TO THE STUDENT ATHLETE, OTHER STUDENT ATHLETES, OR OTHERS;

(IV) DOES NOT HAVE OPENING OR CLOSING ELEMENTS AROUND THE FACE OR NECK; AND

(V) DOES NOT HAVE PARTS PROTRUDING FROM ITS SURFACE.

(D) (1) A STUDENT ATHLETE IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE MODIFICATION OF THE STUDENT ATHLETE'S ATHLETIC OR TEAM UNIFORM UNDER THIS SECTION.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT A PUBLIC SCHOOL FROM PROVIDING THE UNIFORM MODIFICATION TO THE STUDENT.

15-134.

(A) IN THIS SECTION, "STUDENT ATHLETE" MEANS A STUDENT ENROLLED AT A PUBLIC INSTITUTION OF HIGHER EDUCATION WHO PARTICIPATES IN AN INTERCOLLEGIATE ATHLETIC PROGRAM AT THE INSTITUTION.

(B) (1) THE GOVERNING BODY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ALLOW A STUDENT ATHLETE TO MODIFY THE ATHLETIC OR TEAM UNIFORM OF THE STUDENT ATHLETE IN A MANNER THAT MAKES THE STUDENT ATHLETE'S ATTIRE MORE MODEST TO CONFORM TO ~~THE~~:

(I) THE REQUIREMENTS OR PREFERENCES OF THE STUDENT ATHLETE'S RELIGION OR CULTURE; OR

(II) THE STUDENT ATHLETE'S OWN PREFERENCES FOR MODESTY.

(2) A STUDENT ATHLETE MAY NOT BE REQUIRED TO RECEIVE APPROVAL FROM A COACH, AN ADMINISTRATOR, OR THE GOVERNING BODY OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION BEFORE MAKING THE UNIFORM MODIFICATION.

(C) (1) A MODIFICATION TO AN ATHLETIC OR TEAM UNIFORM MAY INCLUDE THE WEARING OF:

(I) A HEAD COVERING WORN FOR RELIGIOUS REASONS, INCLUDING A MUSLIM HIJAB, JEWISH KIPPAH, OR SIKH DASTAR;

(II) AN UNDERSHIRT; OR

(III) LEGGINGS.

(2) A MODIFICATION TO AN ATHLETIC OR TEAM UNIFORM MAY NOT:

(I) INTERFERE WITH THE MOVEMENT OF THE STUDENT ATHLETE; OR

(II) POSE A SAFETY HAZARD TO THE STUDENT ATHLETE, OTHER STUDENT ATHLETES, OR OTHERS.

(3) A STUDENT ATHLETE MAY MODIFY THE UNIFORM HEADGEAR IF THE MODIFIED HEADGEAR:

(I) IS BLACK, WHITE, THE PREDOMINANT COLOR OF THE UNIFORM, OR THE SAME COLOR AS THAT WORN BY ALL PLAYERS ON THE TEAM;

(II) DOES NOT COVER ANY PART OF THE FACE, UNLESS REQUIRED FOR THE SAFETY OF THE WEARER;

(III) IS NOT DANGEROUS TO THE STUDENT ATHLETE, OTHER STUDENT ATHLETES, OR OTHERS;

(IV) DOES NOT HAVE OPENING OR CLOSING ELEMENTS AROUND THE FACE OR NECK; AND

(V) DOES NOT HAVE PARTS PROTRUDING FROM ITS SURFACE.

(D) (1) A STUDENT ATHLETE IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE MODIFICATION OF THE STUDENT ATHLETE'S ATHLETIC OR TEAM UNIFORM UNDER THIS SECTION.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT A PUBLIC INSTITUTION OF HIGHER EDUCATION FROM PROVIDING THE UNIFORM MODIFICATION TO THE STUDENT.

16-110.

(A) IN THIS SECTION, "STUDENT ATHLETE" MEANS A STUDENT ENROLLED AT A COMMUNITY COLLEGE WHO PARTICIPATES IN AN INTERCOLLEGIATE ATHLETIC PROGRAM AT THE COMMUNITY COLLEGE.

(B) (1) THE BOARD OF COMMUNITY COLLEGE TRUSTEES AT A COMMUNITY COLLEGE SHALL ALLOW A STUDENT ATHLETE TO MODIFY THE ATHLETIC OR TEAM UNIFORM OF THE STUDENT ATHLETE IN A MANNER THAT MAKES THE STUDENT ATHLETE'S ATTIRE MORE MODEST TO CONFORM TO ~~THE~~:

(I) THE REQUIREMENTS OR PREFERENCES OF THE STUDENT ATHLETE'S RELIGION OR CULTURE; OR

(II) THE STUDENT ATHLETE'S OWN PREFERENCES FOR MODESTY.

(2) A STUDENT ATHLETE MAY NOT BE REQUIRED TO RECEIVE APPROVAL FROM A COACH, AN ADMINISTRATOR, OR THE BOARD OF COMMUNITY COLLEGE TRUSTEES BEFORE MAKING THE UNIFORM MODIFICATION.

(C) (1) A MODIFICATION TO AN ATHLETIC OR TEAM UNIFORM MAY INCLUDE THE WEARING OF:

(I) A HEAD COVERING WORN FOR RELIGIOUS REASONS, INCLUDING A MUSLIM HIJAB, JEWISH KIPPAH, OR SIKH DASTAR;

(II) AN UNDERSHIRT; OR

(III) LEGGINGS.

(2) A MODIFICATION TO AN ATHLETIC OR TEAM UNIFORM MAY NOT:

(I) INTERFERE WITH THE MOVEMENT OF THE STUDENT ATHLETE; OR

(II) POSE A SAFETY HAZARD TO THE STUDENT ATHLETE, OTHER STUDENT ATHLETES, OR OTHERS.

(3) A STUDENT ATHLETE MAY MODIFY THE UNIFORM HEADGEAR IF THE MODIFIED HEADGEAR:

(I) IS BLACK, WHITE, THE PREDOMINANT COLOR OF THE UNIFORM, OR THE SAME COLOR AS THAT WORN BY ALL PLAYERS ON THE TEAM;

(II) DOES NOT COVER ANY PART OF THE FACE, UNLESS REQUIRED FOR THE SAFETY OF THE WEARER;

(III) IS NOT DANGEROUS TO THE STUDENT ATHLETE, OTHER STUDENT ATHLETES, OR OTHERS;

(IV) DOES NOT HAVE OPENING OR CLOSING ELEMENTS AROUND THE FACE OR NECK; AND

(V) DOES NOT HAVE PARTS PROTRUDING FROM ITS SURFACE.

(D) (1) A STUDENT ATHLETE IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE MODIFICATION OF THE STUDENT ATHLETE'S ATHLETIC OR TEAM UNIFORM UNDER THIS SECTION.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT A COMMUNITY COLLEGE FROM PROVIDING THE UNIFORM MODIFICATION TO THE STUDENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.