



To: Chair Smith and members of the Judicial Proceedings Committee  
From: Shamoyia Gardiner, Education Policy Director  
Re: House Bill: 1204: County Boards and Public and Nonpublic  
Prekindergarten Programs and Schools – Discrimination – Prohibition  
Date: February 20, 2020  
Position: Support

The Second Lady of the United States set off a resurgence in the national conversation about discrimination in nonpublic schools when she began working at a private school in Virginia with a policy that effectively bans the enrollment of LGBTQ-identified students. Prior to that, 6th grader Faith Fennidy, a young Black girl in Louisiana, was turned away from her private school for her hairstyle--braided hair extensions. Here in Maryland, Maddi Runkles was prohibited from participating in her private high school's graduation ceremony because she was pregnant.

All students, regardless of their race, religion, gender identity, parenting status, nationality, sexual orientation, disability status, English proficiency, or any of many other demographic categories, deserve access to high-quality education. **All schools, public and nonpublic alike, must provide that access, particularly nonpublic schools which receive public funds and are responsible for ushering our youngest learners into their educational careers.**

House Bill 1204 will provide legal recourse for children and their families who experience discrimination from their nonpublic educational providers and could be strengthened by amending the bill to include the following language:

- On the basis of discrimination (page 3, line 16): Include "or native language"
- Description of discriminatory activity (page 3, lines 17-21): Include "suspending" between "refusing enrollment" and "expelling", then include "or parent/guardian's" after "because of the individual's" and before "race..."
  - Duplicate this change in language in lines 24 to 30 on page 4 of the bill.

HB 1204 simply serves to expand the protections currently offered to students in public and nonpublic prekindergarten programs. This bill does not prevent single-gender or religiously-identified nonpublic schools from carrying out their specific, stated missions for the demographic populations they intend to reach. With that clarity in mind, **ACY urges a favorable report on this bill.**