

Education Advocacy Coalition For Students with Disabilities

SENATE JUDICIAL PROCEEDINGS COMMITTEE

**SENATE BILL 98: COUNTY BOARDS AND PUBLIC AND NONPUBLIC PREKINDERGARTEN
PROGRAMS AND SCHOOLS—DISCRIMINATION—PROHIBITION**

JANUARY 28, 2021

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of more than 30 organizations and individuals concerned with education policy for students with disabilities in Maryland supports Senate Bill 98, which would prevent discrimination against students and employees in nonpublic schools receiving state funds.

Pursuant to Senate Bill 98, a nonpublic elementary or secondary school that receives state funds would be unable to refuse enrollment, expel, withhold privileges from or discriminate against any student or prospective student because of the individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability. For students with disabilities, this provision ensures that if families choose to enroll their child with a disability in a private school that is not required to comply with Section 504 of the Rehabilitation Act because it does not receive federal funds, or with the Americans with Disabilities Act because it is run by a religious organization, their children will be protected against disability-based discrimination. Senate Bill 98 does not mandate that every student with a disability, no matter how severe, must be admitted to and served by a private school from which his or her parents seek enrollment. In fact, Senate Bill 98 makes clear that students must meet the eligibility requirements of the school to be enrolled, so long as those eligibility requirements are not discriminatory. Senate Bill 98 simply requires that in making such decisions, private schools that receive state funds not engage in discrimination.

For these reasons, the EAC supports Senate Bill 98. For additional information, please contact Leslie Seid Margolis, Chairperson, at lesliem@disabilityrightsmd.org or 410-727-6352, ext. 2505.

Respectfully submitted,

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