

# Education Advocacy Coalition

for Students with Disabilities

**HOUSE ECONOMIC MATTERS COMMITTEE**

**SENATE BILL 910**

**Governor's Workforce Development Board-  
Study on Diploma and Degree Employment Discrimination**

**March 27, 2024**

**POSITION: SUPPORT**

Disability Rights Maryland (DRM) is the protection and advocacy organization for the state of Maryland; the mission of the organization, part of a national network of similar agencies, is to advocate for the legal rights of people with disabilities throughout the state. Over the years, DRM has dedicated significant resources to representation of children and youth with disabilities in special education matters, both individual and systemic, and to educational policy work. In part, this work has focused on advocating for youth with disabilities who are transitioning out of the school system and moving on to higher education, employment, or community programs. DRM supports Senate Bill 910, which would require, generally, a study on diploma and degree employment discrimination.

According to the U.S. Bureau of Labor Statistics, in 2023, people with a disability were less likely to have completed a bachelor's degree or higher than those with no disability and, across all levels of education, people with a disability were much less likely to be employed than their counterparts with no disability.<sup>1</sup> The unemployment rate, defined as "those who did not have a job, were available for work, and were actively looking for a job in the 4 weeks preceding the survey" was twice as high for individuals with disabilities as those without, 7.2% compared to 3.5% respectively.

As the Supreme Court pointed out in 1971, "History is filled with examples of men and women who rendered highly effective performance without the conventional badges of accomplishment in terms of certificates, diplomas, or degrees. Diplomas and tests are useful servants, but Congress has mandated the commonsense proposition that they are not to become masters of reality." *Griggs v. Duke Power Company*, 401 U.S. 424 (1971).

With regards to individuals with disabilities, the Americans with Disabilities Act (ADA), passed in 1990, specifically states that discrimination includes "using qualification standards, employment tests or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the standard, test or other selection criteria . . . is shown to be job-related for the position in question and is consistent with business necessity." 42 U.S.C. § 12112(b)(6).

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<sup>1</sup> <https://www.bls.gov/news.release/pdf/disabl.pdf>

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Also joining this testimony:

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