

Education Advocacy Coalition

for Students with Disabilities

HOUSE JUDICIARY COMMITTEE

SENATE BILL 828

Immigration Enforcement—Sensitive Locations—Access, Guidance, and Policies (Protecting Sensitive Locations Act)

MARCH 26, 2025

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland, strongly supports Senate Bill 828, which would define “sensitive location” and require the Attorney General, in consultation with appropriate stakeholders, to develop guidance to limit immigration enforcement activities at entities operating at sensitive locations. The EAC particularly appreciates that among other provisions Senate Bill 828 defines “sensitive location” broadly to include schools and mental health and medical care facilities, and shelter care.

In 1972, the United States Supreme Court ruled that all children, regardless of immigration status, have the right to public education. *Plyler v. Doe*, 457 U.S. 202. Similarly, the federal Individuals with Disabilities Act (IDEA), 20 U.S.C. §1400 *et. seq.* guarantees a free appropriate public education to all children with disabilities who need special education and related services in order to make educational progress. The IDEA stresses the importance of schools and parents working together to properly identify the needs of children with disabilities and to ensure that appropriate and effective instructional services and supports are provided by the school. The IDEA and Maryland law contain provisions about including parents at meetings, and these laws also require translation of documents and provision of interpreters at IEP meetings if necessary; ensuring that parents have the opportunity to be active participants in the IEP process is one of the cornerstones of both federal and state law.

However, schools are hampered in their effort to secure parental participation, and children suffer the consequences, if their parents do not come to school to participate in the special education process and work with school staff to help their children succeed because of their fear of arrest by Immigration and Customs Enforcement officials on school grounds.

School should be a refuge for all children; it should be the place where they come to grow and learn academically, developmentally and socially. This is especially true for children with disabilities, whose parents have the right to help shape the special education they receive and

to participate as full members of the IEP team. Children and parents should not live in fear that the simple act of going to school every day might result in the trauma of arrest and separation simply because of how they arrived in the United States.

Because EAC members represent or work with families whose children have disabilities that may, and often do, require extensive medical treatment, ancillary therapies, counseling, and behavior support, in addition to other specialized services, the EAC particularly appreciates that Senate Bill 828 includes within its ambit all of the places where children receive these services.

Families should be able to live their lives free from the fear that immigration officials will raid the places families need to be to ensure that their children with disabilities receive appropriate services and supports that enable them to be healthy, to be able to learn with their peers, and to lead meaningful lives in the community.

For these reasons, the Education Advocacy Coalition supports Senate Bill 828.

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Respectfully submitted,

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