

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 531 (Delegate Simmons, *et al.*)
 Appropriations

Education - Remote Learning Accommodations - Established (College Disability Education Act)

This bill requires all public institutions of higher education to establish remote learning accommodations, which include livestreamed classes, recorded lectures, virtual office hours, and remote access to academic resources for students with disabilities beginning in the 2026-2027 academic year. The Maryland Higher Education Commission (MHEC) may issue waivers as specified. The bill establishes a grant program, administered by MHEC, to support compliance with the remote learning requirements. MHEC must review institutional progress every six months to ensure that the majority of academic majors and degrees have remote learning accommodations to all eligible students by August 1, 2029. Institutions deemed noncompliant may face reductions in State funding, with an established appeal process. Public institutions not issued a waiver must submit annual reports to MHEC beginning July 1, 2027. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: Higher education expenditures at public four-year institutions and Baltimore City Community College (BCCC) increase, likely significantly, for remote learning accommodations beginning as early as FY 2026 (not quantified below). Those costs may be partially or fully offset by grant revenues beginning in FY 2027. *Under one set of assumptions*, general fund expenditures increase by \$4.6 million in FY 2027 for grants and contractual staff. Future years reflect availability of grants through FY 2029 and administrative expenses for the first half of FY 2030.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Higher Ed Rev.	\$0	-	-	-	\$0
GF Expenditure	\$0	\$4,588,900	\$4,577,800	\$4,581,100	\$42,300
Higher Ed Exp.	-	-	-	-	-
Net Effect	(\$-)	(\$-)	(\$-)	(\$-)	(\$-)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local community college expenditures increase, likely significantly. Those costs may be fully or partially offset by grants from the program established by the bill. To the extent grants are received, local community college revenues increase. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary:

Remote Learning Accommodations

Institutions have discretion over the software platforms used and are required to survey eligible students annually to assess satisfaction with accommodations.

Waivers

MHEC may issue waivers for:

- financial hardship, if the institution has an annual operating budget under \$5 million;
- rural institutions with limited high-speed Internet access; and
- newly established institutions or those transitioning to remote-friendly infrastructure.

Waivers may be granted for up to two years, with periodic progress reviews.

Grant Program

To receive a grant, institutions must submit an application detailing their implementation plans, including projected costs for technology, training, and infrastructure upgrades. Grant funds may be used to purchase technology for remote instruction and train faculty and staff. Institutions receiving grants must submit a detailed expenditure report to MHEC annually, beginning August 1, 2027.

Current Law: Two federal laws, the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, require colleges, universities, and other postsecondary institutions to provide equal opportunities to people with disabilities in all their operations. According to the [technical assistance manual](#) for the ADA as amended, “A public entity must reasonably modify its policies, practices, or procedures to avoid

discrimination. If the public entity can demonstrate, however, that the modifications would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification.”

State/Local Fiscal Effect: The bill establishes remote access requirements *beginning* in the 2026-2027 academic year (which aligns with fiscal 2027), with full compliance by August 1, 2029 (after fiscal 2029). The costs for public institutions of higher education to comply with the bill’s requirements vary considerably. However, the estimated cost to wire a classroom for livestreaming or recording ranges from \$28,000 to \$68,000 per classroom, with total costs ranging from \$250,000 to \$7.0 million per institution. Less elaborate methods of meeting the requirements of the bill such as streaming from a laptop may reduce higher education costs; however, these methods could limit a student’s ability to fully access coursework as intended by the bill. Costs may also be contained by scheduling streaming courses in a few wired classrooms or through existing online course offerings; however, these cost savings cannot be reliability estimated.

Accordingly, while some public institutions may begin to make necessary modifications in fiscal 2026, this analysis assumes most costs are incurred in fiscal 2027 through 2029. A portion of public institutions’ costs may be defrayed as the bill also establishes a grant program administered by MHEC to *assist* institutions of higher education in meeting the remote learning accommodations required by the bill. However, the bill does not specify a total funding amount or establish an amount of funding that may be granted to any one institution. As reporting on grants begins in August 2027 (fiscal 2028), this analysis assumes the first year for grant funding is fiscal 2027.

Thus, under one set of assumptions, general fund expenditures increase by approximately \$4.6 million in fiscal 2027 through 2029, which reflects three years of grant funding at \$4.5 million a year as well as the cost of hiring one contractual staff specialist on July 1, 2026, to administer the program. The staff specialist’s responsibilities include reviewing institutional progress every six months, making grants, and receiving reports. The estimate includes a full-time contractual salary, fringe benefits, one-time start-up costs, and ongoing operating expenses. The information and assumptions used in calculating the estimate are stated below.

- Maryland has approximately 30 public institutions of higher education, including University System of Maryland constituent institutions, Morgan State University, St. Mary’s College of Maryland, the State-funded BCCC, and 15 local community colleges.
- MHEC awards as many as 30 grants of approximately \$150,000 each in fiscal 2027, 2028, and 2029 to help institutions upgrade classrooms and provide training – for a total of \$4.5 million in grant funding in those years.

- Additional funding may be available for certain institutions with greater need if some institutions do not request grant funding or need a lower amount of funding.
- However, if institutional costs exceed grant funding, even with cost-containment measures, higher education expenditures increase beyond the grant amounts. These additional costs cannot be reliably estimated, but they may be significant.
- A permanent position may not be needed as the timeframe for full compliance is essentially by the beginning of the 2029-2030 academic year; accordingly, contractual staffing is assumed through the final reporting period and for any related determination about imposition of a civil penalty. Thereafter, any residual duties may be absorbed by existing staff.

Contractual Position	1.0
Salary and Fringe Benefits	\$81,213
Grants	4,500,000
Operating Expenses	<u>7,645</u>
Total FY 2027 General Fund Expenditures	\$4,588,858

Future year general fund expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses, ongoing grant funding through fiscal 2029, and elimination of the contractual staff specialist on December 31, 2029.

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State’s implementation of the federal Patient Protection and Affordable Care Act.

While future higher education expenditures cannot be reliably estimated, costs continue in the out-years to maintain the accommodations. Such costs may include maintenance, data storage, and training, and they could be significant.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Higher Education Commission; University System of Maryland; St. Mary’s College of Maryland; Department of Legislative Services

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