

Department of Legislative Services
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2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 109 (Delegate Vogel)
Appropriations and Ways and Means

Institutions of Higher Education and Elementary and Secondary Schools - Title VI Coordinators

This bill requires institutions of higher education and each local school system to designate a Title VI coordinator to ensure compliance with Title VI of the Federal Civil Rights Act of 1964. The bill also authorizes individuals alleging discrimination in violation of Title 26, Subtitle 7 of the Education Article to file a complaint with a local school system's Title VI coordinator in addition to the existing authorization to file a complaint with the State Superintendent of Schools. Title VI coordinators at local schools are also required to forward any such complaints received to the State Superintendent of Schools. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: To the extent existing staff cannot be designated as Title VI coordinators, higher education expenditures at University System of Maryland (USM), Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and Baltimore City Community College (BCCC) increase to hire Title VI coordinators, as explained below. Maryland State Department of Education (MSDE) general fund expenditures may increase minimally for translation services if additional Title VI complaints forwarded to the superintendent require such services; however, any associated costs are likely absorbable within existing resources. Revenues are not affected.

Local Effect: To the extent existing staff cannot be designated as Title VI coordinators, local school system expenditures increase to hire Title VI coordinators. Revenues are not affected. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: Coordinators must (1) have expertise in and oversee compliance with Title VI law and regulations; (2) promote equal access to and participation in the programs and activities of the institution of higher education or local school system; (3) provide training and educational resources; (4) document and investigate complaints; (5) maintain records and reports; and (6) perform any other duties established by the institution of higher education or local school system.

Current Law: State regulations establish that all public school students, regardless of race, ethnicity, region, religion, gender, sexual orientation, language, socioeconomic status, age, or disability have the right to educational environments that are safe, appropriate for academic achievement, and free from harassment. State law also requires *all* individuals who are ages 5 or older and younger than age 21 to be admitted, free of charge, to the public schools of the State.

Federal Nondiscrimination Laws

Numerous provisions of federal law prohibit discrimination in education. The federal Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, sex, religion, or national origin by public elementary and secondary schools and public institutions of higher learning. Private (nonpublic) schools receiving federal funds must comply with federal law provisions regarding discrimination. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex by private schools receiving federal funding. Federal law includes exceptions for the admissions practices of single-sex schools. The Americans with Disabilities Act (ADA) also prohibits state and local governments from discriminating on the basis of disability. Private schools not run or controlled by religious organizations must abide by the ADA. *Title VI of the Civil Rights Act of 1964* states: “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Under Title IX, each federal funding recipient must designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to such recipient alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The recipient must notify all of its students and employees of the name, office address, and telephone number of the employee or employees appointed. Further, a recipient must adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by this part. Title VI, however, does *not* require the designation of an employee as a coordinator.

Office of Civil Rights – Complaints

Any individual who believes that an education institution that receives federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, disability, or age may file a complaint with the Office for Civil Rights (OCR). The person or organization filing the complaint does not have to be a victim of the alleged discrimination. A complaint must be filed within 180 days of the alleged discrimination. OCR does not handle cases that are being addressed by another agency or within a school's formal grievance procedure if OCR anticipates the agency or school will provide a comparable resolution process. Once that complaint process is complete, an individual has 60 days to file a complaint with OCR. OCR's first step will be to determine whether to defer to the result reached in the other process. An OCR discrimination complaint may be filed by contacting the local OCR enforcement office to obtain a form, or the [online complaint form](#) may be used. In addition, an individual may write an email or a letter explaining the complaint to the OCR enforcement office.

As outlined in a recent U.S. Government Accountability Office [report](#), The U.S. Department of Education (USDE) is in the process of a major potential restructuring. This restructuring included two rounds of reduction-in-force (RIF) notifications for a significant number of employees in OCR and the closure of seven of twelve regional offices. Although USDE rescinded the RIF actions for OCR staff in early January 2026, it is unclear what number of staff subject to the initial RIF actions ultimately returned to work.

State Superintendent Enforcement

The State Superintendent of Schools must enforce the provisions of the Education Article that are within his or her jurisdiction and the bylaws rules, and regulations of the State Board of Education. If an educational institution or local board of education violates any of these provisions, the State Superintendent, by written notice, may require the State Comptroller to withhold from that institution or board (1) all or any part of an appropriation made by the General Assembly and (2) all or any part of any other payment from funds budgeted by the State.

Additional State Nondiscrimination in Public Schools Legislation

Chapter 739 of 2022 prohibits a local board of education, public prekindergarten programs and primary and secondary schools, and nonpublic prekindergarten programs and primary and secondary schools that receive State funds, from refusing enrollment of a prospective student, expelling a current student, withholding privileges from, or otherwise discriminating against any individual because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or

disability. Further, the Act prohibits retaliatory actions against a student or parent or guardian of a student who files a complaint alleging specified discrimination. The Act establishes a complaint, mediation, and appeal process for violations. All or part of specified funding may be withheld from a board, program, or school that violates the nondiscrimination requirements. Chapter 739 complaint resolution process flows through the State Superintendent of Schools and mediation process through the Office of Administrative Hearings.

State Fiscal Effect: The bill requires public four-year institutions and BCCC to designate Title VI coordinators to meet specified qualifications to perform specified duties. The costs associated with this requirement depend on current staffing levels and expertise, which the Department of Legislative Services (DLS) cannot independently verify.

USM advises that each of its 12 constituent institutions must hire an additional employee to be designated as a Title VI coordinator to comply with the bill. MSU and BCCC similarly advise that they must hire a new position to fill the role.

According to the College and University Personnel Association for Human Resources Administrator Compensation, the median annual salary for compliance coordinator positions is \$72,000, excluding fringe benefits. Therefore, if USM institutions, MSU, SMC, and BCCC must hire additional staff to be able to designate Title VI coordinators to comply with the bill, higher education expenditures increase by an estimated total of \$1.4 million annually (which accounts for fringe benefits and supplies) beginning fiscal 2027 to hire 15 Title VI coordinators with sufficient experience as specified by the bill.

However, DLS advises that although not required by federal law as in the case of Title IX coordinators, most institutions of higher education in the State retain some staff involved in the processing of Title VI complaints or in an office of civil rights generally. Such staff already likely have expertise in Title VI, and may already document complaints, and maintain records and reports as required by the bill. Therefore, institutions of higher education may need only minimal additional resources to expand these existing staff members' duties to include the additional tasks set forth in the bill of promoting equal access and providing training and educational resources.

MSDE advises that complaints related to equal access for non-English-speaking students may require additional translation services. If MSDE increases translation services due to forwarded complaints, contractual costs for translation services increase. However, any additional expenses are expected to be minimal and absorbable within existing resources. MSDE further advises that there may be redundant investigations if local Title VI offices are reporting all inquiries to the State Superintendent of Schools and both Local Title VI coordinators and the superintendent investigate the claims independently.

Local Expenditures: Local school systems likely already retain employees dedicated to the processing of civil rights complaints, including Title VI matters. These existing employees likely fulfill many of the bill's requirements for Title VI coordinators. School systems may need to expand the duties of such staff or provide additional training; however, any expenditures associated with training existing staff as full Title VI coordinators is likely minimal. It is assumed that Title VI coordinators can forward complaints to the State Superintendent as specified without significant additional expenditures (regardless of whether local school systems must hire new positions or simply appoint existing staff to the role).

However, Baltimore County Public Schools, Prince George's County Public Schools, and St. Mary's County Public Schools advise that the school system offices responsible for civil rights complaints are operating at full capacity and therefore would require one additional full-time position each to be able to carry out the duties of Title VI coordinator as specified in the bill. To the extent existing Title VI staff are fully subscribed in other counties, expenditures may meaningfully increase to hire appropriately qualified individuals.

Additional Comment: Nonpublic institutions of higher education similarly face additional expenditures associated with hiring or designating existing staff as Title VI coordinators as necessary.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 86 and SB 435 2025.

Designated Cross File: SB 316 (Senator Waldstreicher) - Education, Energy, and the Environment.

Information Source(s): Maryland Higher Education Commission; Maryland State Department of Education; Maryland School for the Deaf; Morgan State University; University System of Maryland; Maryland Independent College and University Association; Anne Arundel County Public Schools; Baltimore City Public Schools; Baltimore County Public Schools; Frederick County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Wicomico County Public Schools; Department of Legislative Services

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