

Education Advocacy Coalition

for Students with Disabilities

Senate Education, Health, and Environmental Affairs Committee

**SB 617: Local School Systems—Equivalent Access Standards—Digital Tools (Nonvisual Access
Accountability Act for K-12 Education)**

February 16, 2022

Position: Support with Sponsor Amendment

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of approximately 40 organizations and individuals concerned with education policy for students with disabilities in Maryland, supports Senate Bill 617, which would ensure local school system and Maryland State Department of Education accountability for accessible digital tools. The bill would require local school systems to develop a process to evaluate digital tools under consideration for development or purchase, and would require vendors responding to an invitation for bid or a request for proposal issued by a local school system or the Maryland State Board of Education to submit an accessibility conformance report that includes a voluntary product accessibility template. Beginning in October, 2024, after evaluation of technology-based instructional products, local school systems must select the available product that has the greatest functionality for equivalent access for students with disabilities. Senate Bill 617 further provides that vendors who fail to meet accessibility standards will be fined.

Although the ability to access digital instruction has long been an issue for a number of students with disabilities, the COVID-19 pandemic laid bare the extent of the problem. When school buildings closed in March, 2020 and education shifted to digital learning, students who are blind or otherwise unable to access learning through visual means were denied the opportunity to participate or to participate fully in distance learning. Although accessible information and communication technology is required by law, lack of enforcement by local school systems and the Maryland State Department of Education made this requirement ring hollow for the students who were unable to learn effectively during the pandemic because their technology was not accessible to them. The problem continues for students who have as yet been unable to return to school in-person.

It is our understanding that this year's legislation is broader than the previous version of this bill, and that if implemented, it would ensure equal access to digital tools for all students with disabilities. We recommend the following amendments to underscore the importance of equal access:

On Page 2, line 13: add **INCLUDING by nonvisual means**

On Page 2, line 16: add **“Equivalent Access” includes BUT IS NOT LIMITED TO:”**

On Page 3, line 25: add **EQUIVALENT AND “nonvisual access”**

Senate Bill 617 would address the problem of digital inaccessibility by creating the accountability that has been missing, and would enable all students who require access to information and communication technology to more easily obtain that access. For these reasons, the EAC supports Senate Bill 617 with the sponsor amendments.

Please feel free to contact Leslie Seid Margolis, chairperson, at lesliem@disabilityrightsmd.org or 410-370-5730 for more information.

Respectfully submitted,

Selene A. Almazan, Esq., Selene A. Almazan Law

Rene Averitt-Sanzone, The Parents' Place of Maryland

Linda Barton, MSED, Education Consultant

Beth Benevides, Howard County Autism Society

Ellen A. Callegary, Law Offices of Ellen A. Callegary, P.A.

Rich Ceruolo, Parent Advocacy Consortium

Michelle Davis, M.S.Ed., ABCs for Life Success

Jennifer Engel Fisher, Weinfeld Education Group

Ann Geddes, Maryland Coalition of Families

Beth Ann Hancock, Charting the Course

Kalman Hettleman, Independent Advocate

Morgan Horvath, M.Ed., Abilities Network

Nicole Joseph, Esq., Law Offices of Nicole Joseph

Rosemary Kitzinger and Marjorie Guldán, Bright Futures, LLC

Ande Kolp, The Arc Maryland

Sharon Maneki, National Foundation of the Blind of Maryland

Leslie Seid Margolis, Disability Rights Maryland

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Maria Ott, Attorney

Rebecca Rienzi, Pathfinders for Autism

Jaime Seaton, BGS Law

Ronnetta Stanley, M.Ed., Loud Voices Together

Guy Stephens, Alliance Against Seclusion and Restraint

Maureen van Stone, Mallory Legg, and Alyssa Thorn, Project HEAL at Kennedy Krieger Institute

Jessica R. Williams, M.Ed., Education Due Process Solutions, LLC

Liz Zogby, Maryland Down Syndrome Advocacy Coalition