

State of Maryland Commission on Civil Rights

“Our vision is to have a State that is free from any trace of unlawful discrimination.”



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March 10, 2022

House Bill 1256 – Education - Discriminatory Concepts in Instruction - Prohibition (Ending Discrimination in Public Education Act of 2022) POSITION: Oppose

Dear Chairperson, Atterbeary, Vice Chairperson Washington, and Members of the House Ways and Means Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, health services and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

House Bill 1256 would attempt to prohibit a teacher, an administrator, or any other employee of a public school and certain nonpublic schools from including certain discriminatory concepts in a unit of instruction. This would apply to all public primary and secondary schools and nonpublic primary and secondary schools that receive state funds. The first forbidden concept is that “one race or sex is inherently superior to another race or sex.” Another banned concept would be that systems of meritocracy and systems that favor hard work are “racist or sexist or were created by members of a particular race to oppress members of another race. The aim is to prevent an individual from “feeling any discomfort, guilt, anguish, or any other form of psychological distress solely because of the individual’s race or sex.”

The exclusion of this kind of truthful and accurate information from instruction in the classroom will render history lessons obsolete. It would be nearly impossible to teach American history without addressing the fact that slavery, and the beliefs that sustained it, were the main source of economic capital in our country for many years. It would be extremely difficult to instruct about the various feminist movements that brought women the right to vote, economic independence, and reproductive rights. Educational institutions and similarly structured organizations purposefully excluded women and people of color from their ranks and curriculums for hundreds of years before they were forced to include all Americans. Even now there is stark evidence that educational outcomes for women and people of color are negatively affected by this history. The 2019 college admissions scandals showed the public a truth about the state of the pay-for-play education system.

MCCR’s Biennial Civil Rights & Fair Housing Gala Celebration: April 30, 2022

William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, Maryland 21202-1631
Phone: 410-767-8600 · Toll Free: 1-800-637-6247 · Maryland Relay: 711 · Fax: 410-333-1841
Website: mccr.maryland.gov · E-Mail: mccr@maryland.gov

The recent past reminds us that prioritizing the feelings of one group of people over knowing the truth and providing for the safety and physical wellbeing of another is patently unjust. Altering the facts taught about what brought our communities to their present conditions would lead to the same detachment and complacency that has gotten us to this point. Ignoring the truth because it's uncomfortable is not a resolution. It will only frustrate the process and push the finish line farther away.

Many states have moved to adjust school curriculums in an attempt to safeguard the feelings of people that do not have to face the harm and consequences of racism and sexism. In approximately 25 states legislators have submitted 66 bills that would restrict or ban teaching history accurately, with approximately 16 states passing versions of these anti-truth laws. These states include Florida, Texas, South Carolina, Georgia, Alabama, Tennessee, Oklahoma, Arizona, Utah, Idaho, Montana, North Dakota, South Dakota, Iowa, New Hampshire, and Arkansas.

The Commission believes that education is imperative to creating a healthy and equitable society. Revising curriculums to be more digestible for some will have grave negative effects that will only work to compound the various race and sex issues that now grip the country. This will reverse progress toward racial justice and will further sow division in our communities. For the nation to move forward, people of all races and backgrounds must come together to ensure equity for us all. All people must be armed with the basic knowledge of the history of America and that information should be accurate and not manipulated by this type of legislation. Labeling HB 1256, the "Ending Discrimination in Public Education Act" does not change its intent of preventing the accurate teaching of history regarding race and sex in our schools.

For these reasons, the Maryland Commission on Civil Rights urges an unfavorable vote for HB 1256. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.