



Testimony for the House Ways and Means Committee

February 17, 2022

HB 515– Education - Student Athletes - Uniform Modifications for Modesty (Inclusive Athletic Attire Act)

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FAVORABLE

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The ACLU of Maryland supports HB 515, which would allow student athletes to modify an athletic or team uniform to make the attire more modest to conform to the requirements or preferences of the student athlete's religion or culture. The ACLU vigorously defends the rights of all Americans, including public school students, to practice their religion and express their faith.

The First Amendment to the U.S. Constitution states that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” As enshrined in the First Amendment, religious freedom includes two complementary protections: the right to religious belief and expression and a guarantee that the government neither prefers religion over non-religion nor favors particular faiths over others. These dual protections work hand in hand, allowing religious liberty to thrive and safeguarding both religion and government from the undue influences of the other.

This bill codifies into state law the right for secondary school, community colleges and college and university athletes in public institutions to wear clothing or head coverings that are worn for religious reasons, including a hijab, Sikh patka, or long-sleeved bodysuit/legging undergarments for modesty, without requiring prior approval.

Currently, the Maryland Public Secondary Schools Athletic Association issued a memo granting an exception to the National Federation of High School Association's uniform standards, but no protection exists at the state level to protect religious minorities rights. The bill upholds the constitutionally protected right to religious freedom for athletes of diverse faiths, races, ethnicities, and backgrounds.

For the foregoing reasons, the ACLU of Maryland urges a favorable report for HB 515.

