

Education Advocacy Coalition for Students with Disabilities

HOUSE JUDICIARY COMMITTEE

HOUSE BILL 1431: State and Local Agencies—Enforcement of Federal Immigration Law— Restrictions on Access to Information (Maryland Data Privacy Act)

DATE: FEBRUARY 27, 2025

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland, strongly supports House Bill 1431, which would restrict any individual who is, or who appears to be, seeking access to a database for the purpose of enforcing federal immigration law unless the individual presents a valid warrant issued by a federal or Maryland state court and clearly identifies the record or information to be accessed. As attorneys, advocates and consultants working with families whose children have disabilities, EAC members are greatly concerned about the risk to children with disabilities if sensitive information about them is released to immigration officials. Although the Family Education Rights and Privacy Act (FERPA) governs the release of information by schools, FERPA does permit schools to release directory information; directory information includes such details as a student's name and address and date and place of birth. By restricting access to information without presentation of a court order, House Bill 1431 closes a hole that could otherwise be devastating to children and their families who are worried about being identified to immigration officers seeking to detain and deport them.

Additionally, children with disabilities, like all children, have a right under *Plyler v. Doe*, 457 U.S. 202 (1982) to attend school without regard to their immigration status. It is especially important for children with disabilities to have unthreatened access to school in order to obtain their legally-guaranteed special education and related services under the federal Individuals with Disabilities Act. House Bill 1431 would enable schools to keep students as safe as possible and make it possible for parents to continue to participate in meetings and school events.

For these reasons, the EAC strongly supports House Bill 1431.

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Respectfully submitted,

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The Maryland Education Coalition also joins this testimony.