



HOUSE WAYS AND MEANS COMMITTEE
House Bill 495
Education - Antidiscrimination Policies - Policy and Notice Requirements
February 12, 2025
Letter of Information

Chair Atterbeary, Vice Chair Wilkins and committee members, thank you for the opportunity to share our thoughts on House Bill 495. House Bill 495 is an attempt to create uniform institutional approaches regarding the type of information that should be included in a school's anti-discrimination policy, obligations regarding publicizing anti-discrimination policies, and appropriate notifications, as well as training for discrimination prevention. The bill requires that schools display anti-discrimination policies prominently on a website within three clicks of a computer mouse.

The University System of Maryland (USM) is comprised of twelve distinguished institutions, and three regional centers. We award eight out of every ten bachelor's degrees in the State. Each of USM's 12 institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from Western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes three Historically Black Institutions, comprehensive institutions and research universities, and the country's largest public online institution.

The USM Board of Regents (BOR) [Policy on Non-discrimination and Equal Opportunity](#) requires that USM not unlawfully discriminate against any person on the basis of protected characteristics or any other basis prohibited by federal law, the State of Maryland, or other applicable laws. This policy, like all policies at each USM institution, covers all programs, services, policies, activities, and procedures of the university, including participation in education programs and employment. Notwithstanding the above, this policy does not address discrimination on the basis of sex or gender-related conduct covered by the [USM's Policy on Sex Discrimination](#) which was updated as recently as July.

House Bill 495 is a prescriptive, and potentially costly alternative, to rights and protections that are already established in a system policy, campus policies, as well as Federal, State, and other applicable laws. Awareness is key to creating a campus community based upon mutual respect. The unique social and cultural attributes, in addition to world class academics and research, make USM institutions living and learning laboratories. It's important that the USM lower barriers, real or perceived, to services (and advocates) that shoulder the responsibility to cease uncivil or anti-social behavior in the campus community.

USM institutions address that responsibility through the aforementioned policies and ensuring that they are shared with all new hires as part of new employee onboarding training – usually within a

month of the new employee's start date. Additionally, information about discrimination and equal opportunity policies is provided in student handbooks, faculty handbooks, employee handbooks, and in sample syllabi template language provided to faculty each academic year.

Non-discrimination policies are shared liberally using a variety of strategies and outlets. For example, under the keyword search "UMB DISCRIMINATION POLICY," interested parties will find the non-discrimination policies for both the [University of Maryland, College Park](#) and the [University of Maryland, Baltimore](#) – just a single mouse click from the original search. The **University of Maryland, Baltimore County's** Discrimination and Equal Opportunity Policy is located on the Office of Equity and Civil Rights' [website](#); **Towson University's** anti-discrimination policies can be found [here](#); and the University of Baltimore's [here](#). **Salisbury University** provides ongoing training initiatives on its [anti-discrimination policies](#) for the campus community including resources that SU offers to all incoming students during orientation. New and transfer students can access training through [3rd Millennium](#), an online platform. These types of resources are present at other USM institutions also.

House Bill 495 calls for a singular antidiscrimination policy, however, policies and procedures regarding sexual violence, dating violence, and stalking are generally included in policies and procedures that fulfill the requirements of Title IX. Separate policies and procedures address discrimination on protected classes. The training requirements are specific and would require ongoing dedicated personnel and training materials. Posting physical copies of anti-discrimination policies on edifices across campus isn't as much a logistical question, as it is a question of "why" and to what functional effect. Moreover, the definition of anti-discrimination policy does not make mention of "discrimination." Bullying and harassment, based upon a protected category, are forms of discrimination but not all encompassing.

A suggestion was made that **all** references and requirements related to sexual violence, domestic violence, dating violence, and stalking should be removed from this bill as it conflicts or is duplicative of what is already required for these issues under Maryland Education Article, Section 11-601. The requirement to describe the criminal justice system's investigation and adjudication process is best left to trained law enforcement. Instead, institutions can include information about a person's right to contact law enforcement and criminal options that may be available.

Lastly, as you know, the USM's proposed budget reduction for FY26 equates to \$111 million. This is in addition to last year's cut and another mid-year cut to the FY25 budget leaves the USM down \$180 million cumulatively in FY25 and FY26. Adding additional policies at this time creates additional challenges for our campuses at an already difficult time managing budget reductions as well as the uncertainty of new policies and executive orders being imposed by the federal government.

If the committee is inclined to move this proposal, we would appreciate the consideration of suggested amendments including exempting the University of Maryland Global Campus, since their model does not fit the standard campus model. These proposed (suggested) amendments are in many ways "technical" if not practical.

Page 2; Delete lines 7 and 8: *This and other mentions of sexual violence/misconduct, as it conflicts with or is duplicative of requirements under Maryland Education Article, Section 11-601, which explains the need for sexual misconduct (specific) policies.*

Page 3; Amend lines 1-2 to read: “*Referral information for local law enforcement resources and personnel;*” Amend Lines 16 and 17 to read: “*If printed, printed in a color, size, and font that enhances readability;*”

Page 4; Delete Lines 1-3. Amend Lines 5 and 6 to read “*...by email to all enrolled students and employees at least one time each school year;*” Amend line 7 to read: “*Encourage schools to post digital and/or physical copies of the antidiscrimination policy, at appropriate venues, when the hours and locations permit.*” Delete lines 20-22. Amend line 23 to read: “*(I) For employees, be conducted virtually or in-person within 2 months...*” Amend lines 26-27 to read: “*...school system office, or during new employee orientation at a postsecondary institution.*”

The USM hopes these suggested amendments can continue the conversation regarding the potential impact of House Bill 495.

