

HB109 - Title VI Testimony.pdf

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Position: FAV



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Baltimore District

WRITTEN TESTIMONY
**HB109: Institutions of Higher Education and Elementary and
Secondary Schools - Title VI Coordinators**
House Appropriations Committee | February 10, 2026
SUPPORT

Background: House Bill 109 would require the governing board of each institution of higher education in the State and local school systems to designate a Title VI Coordinator to ensure compliance with Title VI of the federal Civil Rights Act of 1964; and authorize a person alleging discrimination under certain provisions of law to file a complaint with a Title VI Coordinator of a local school system.

Written Comments: The Baltimore Jewish Council (BJC) represents the Associated Jewish Federation of Baltimore and all its agencies, as well as the organized Jewish Community of Baltimore.

It's impossible to turn a blind eye to the increased hateful rhetoric that is plaguing our school systems across the State. These incidents are not insular to the K-12 education system, in fact, they increase tremendously in our institutions of higher education, especially since the horrific massacre of October 7th. Between encampments and protests, it's difficult for some students to feel welcome and safe.

It is important that all our students, whether in a K-12 school or on a college campus, feel safe and comfortable enough to learn without distraction. By requiring that each school designate a Title VI Coordinator, we are ensuring that there is a resource available to students who feel they are being discriminated against, and proper avenues for incidents to be reported. By ensuring there is access to these resources, we are further protecting our students and allowing them to focus on the reason that they are at school or on campus in the first place – to receive an excellent education.

For these reasons, we ask for a favorable report on HB109.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of the Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

HB0109_Title_VI_Coordinators_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0109

Institutions of Higher Education and Elementary and Secondary Schools – Title VI Coordinators

Bill Sponsor: Delegate Vogel

Committee: Appropriations

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0109 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Education represents the barrier between the prospect of a good job and a comfortable future vs a life struggle to achieve financial stability. It is the one thing that we should ensure that everyone has equal access. Title VI of the Civil Rights Act was created to ensure and enforce equal access and the right to a good education.

At this time, we have a federal government that has made it abundantly clear that they do not support equal rights. It now is up to the state to do the right thing and support everyone's right to a good education, not only in elementary school, but also in all institutions of higher learning.

This bill, if enacted, would require each school to designate a person who would act as the Title VI Coordinator to ensure compliance with Title VI, to document and investigate complaints, and to promote equal access and participation in the programs and activities of the school system. This person would help ensure that all of our children truly have equal access and the right to a good education.

We support this bill and recommend a **FAVORABLE** report in committee

HB 109 JCRC Institutions of Higher Education and

Uploaded by: deborah miller

Position: FAV



Testimony in SUPPORT of *House Bill 109 – Institutions of Higher Education and Elementary and Secondary Schools – Title VI Coordinators*
Appropriations
February 10, 2026

The Jewish Community Relations Council of Greater Washington (JCRC) serves as the public affairs and community relations arm of the Jewish community. We represent over 100 Jewish social service agencies, synagogues, and schools throughout Maryland, Virginia, and the District of Columbia. The JCRC is strongly committed to cultivating a society based on mutual respect, justice, equity and safety. We work throughout the region to advocate for our nonprofits that serve the most vulnerable on a non-sectarian basis and to campaign for important policy interests on behalf of the Jewish community and all Marylanders.

The JCRC supports House Bill 109, – *Institutions of Higher Education and Elementary and Secondary Schools – Title VI Coordinators*. This Bill requires all higher education and local schools to appoint a Title VI Coordinator to ensure compliance with Title VI of the Civil Rights Act of 1964 to prevent discrimination based on race, color or national origin. This Coordinator would be responsible for overseeing equal access to programming on campus, documenting and investigating complaints, and providing training and resources about Title VI law and regulations.

The need for this bill could not be more urgent given the unprecedented and unacceptable rise of antisemitism in the US, especially targeting Jewish students. According to the ADL, Maryland ranked 6th in the nation per capita for the highest number of antisemitic incidents. Maryland’s 2024 Hate Bias Report found that although Jews only represent 4% of the state’s population, they account for more than 28% of hate bias incidents. And for the second year in a row, the majority of those incidents occurred at K-12 schools. Free speech must always be protected, but students should never be discriminated against because of their Jewish identity.

At the JCRC, our top priority is combating antisemitism and protecting the safety and security of the Jewish people, including Jewish students whether at our local schools or college campuses. We have taken the lead and organized community response initiatives such as town halls with superintendents to address increasing antisemitism rates; we have brought Holocaust survivors and descendants to address more than 10,000 students and educators annually; we have expanded our flagship Student to Student program that

trains 120 Jewish teens annually to speak to more than 13,500 fellow students and educators about their Jewish beliefs, customs, and experiences; and, we have trained thousands of educators in Montgomery County Public Schools on Jewish identity and antisemitism and been a critical resource for schools with significant numbers of Jewish students and faculty. Having a Title VI coordinator will provide us with another tool, a proactive tool, to help students navigate the educational system when experiencing antisemitism. It will also serve as a mechanism to help educators understand what antisemitism is and how to respond appropriately.

No one should be targeted because of who they are or what they believe in, especially in the classroom or on campus. With a dedicated Title VI Coordinator, schools can stay in compliance with the law and reinforce the fundamental right to an education free from hate and harm. The bill strengthens protections, ensures accountability and fosters a safer, more inclusive and mutually respectful learning environment for all students. For these reasons, we support House Bill 109 and ask for a favorable report.

HB109 _ MLJCs_ FAV.docx.pdf

Uploaded by: Eden Durbin

Position: FAV



WRITTEN TESTIMONY

FAVORABLE

HB 109 - Institutions of Higher Education and Elementary and Secondary Schools - Title VI Coordinators

Appropriations
February 10, 2026

The Maryland Legislative Jewish Caucus (MLJC), a bipartisan group of Senators and Delegates, **strongly supports HB109 as 2026 caucus priority**. This legislation requires institutions of higher education and local school systems in the State of Maryland to designate a Title VI coordinator to ensure compliance with federal anti-discrimination laws.

Title IX of the Civil Rights Act requires all federal funding recipients to designate one person to enforce gender-based discrimination laws; however, there is no equivalent requirement for Title VI—the critical provision that protects against racial, ethnic, and some religious discrimination. By requiring a dedicated Title VI Coordinator, this legislation provides essential tools for creating and maintaining safe and inclusive learning environments.

By taking proactive and reactive steps, the coordinators established by this legislation will help educational institutions reduce discrimination and limit Title VI violations. As HB 109 requires, the coordinators will increase accountability, reporting, and documentation of Title VI violations and conduct training programs to proactively educate staff and students about their rights and responsibilities under civil rights laws. This legislation's comprehensive, dual-pronged approach will help make schools and college campuses welcoming, safe, and inclusive environments for all students and staff.

MLJC, which is committed to combating hate crimes and bias-related incidents, recognizes the important role HB 109 plays in ensuring discrimination has no place at our places of learning. Given the rise of antisemitism and bias-related incidents at schools and universities, this legislation is necessary to strengthen protections against religious and ethnic discrimination, ensure violators are held accountable for their actions, and prevent discriminatory incidents through education.

For these reasons, we respectfully request a favorable report.

Vogel HB 109.pdf
Uploaded by: Joe Vogel
Position: FAV

JOE VOGEL
Legislative District 17
Montgomery County

Ways and Means Committee

Subcommittees

Education

Revenues



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 109: Institutions of Higher Education and Elementary and Secondary Schools - Title VI Coordinators

Appropriations Committee

Tuesday, February 10th - 1:00 PM

Chairman Barnes, Vice Chairman Chang, and Members of the Appropriations Committee,

HB 109 strengthens Maryland's compliance with Title VI of the Civil Rights Act of 1964 by requiring public institutions of higher education to designate a Title VI Coordinator. This role is essential to ensuring that discrimination based on race, color, or national origin is effectively prevented, identified, and addressed in programs receiving federal funding.

A Title VI Coordinator would be responsible for overseeing institutional compliance; providing training and guidance to students, faculty, and staff; investigating and documenting complaints; and maintaining records and reports as required by federal law. This work is not only critical to responding to violations when they occur, but to proactively protecting students that have been historically and systemically marginalized within higher education.

While many institutions have staff who perform related functions, the presence, authority, and scope of a Title VI Coordinator is inconsistent across the state. HB 109 establishes a clear, uniform standard so that every student enrolled in a Maryland public institution has equal access to a defined, accountable process for reporting and addressing discrimination.

By clarifying responsibility and strengthening oversight, HB 109 promotes safer, more equitable learning environments and helps institutions meet their legal and ethical obligations.

I urge the committee to give a favorable report on HB 0109.

HB 109 Testimony - ADL Lily Fleischmann 2.10.26.pd

Uploaded by: Lily Fleischmann

Position: FAV



Maryland General Assembly

Appropriations Committee

February 10th, 2026

Testimony of Lily Fleischmann

ADL Washington D.C. Assistant Regional Director

Chair Barnes and Members of the Committee,

My name is Lily Fleischmann, and I serve as Assistant Regional Director of ADL's Washington, D.C. Regional Office. I am also a recent graduate of the University of Maryland, where I served as president of the School of Public Policy's Student Government Association. I submit this testimony in strong support of House Bill 109.

As a Jewish student, I experienced firsthand the devastating effects of antisemitism on campus, where myself and friends of mine often felt unsafe displaying our Jewish identities. According to ADL's Audit of Antisemitic Incidents, Maryland had 107 incidents at K-12 institutions in 2024, ranking 3rd in the nation and accounting for 12% of all K-12 cases in the U.S. Maryland had 33 incidents at colleges and universities in 2024, ranking 15th highest nationwide. My experience combatting antisemitism in high school and college is what led me to work at ADL. In my role, I speak with students who are navigating discrimination and harassment in their schools, and what I hear is a fundamental problem: "There is no one I can go to at my school who will take this seriously, help me understand my options, and make sure my complaint does not disappear." Even when institutions have civil rights staff or policies in place, too many students don't know who that person is, don't know where to start, or fear nothing meaningful will happen. ADL's campus climate research reflects this barrier: among students who did nothing in response to antisemitic incidents, a common reason was that they "weren't sure what to do." This lack of clarity and coordination is something I have heard echoed by students across the country, including many in the University System of Maryland.

House Bill 109, which would establish Title VI coordinators in Maryland's educational institutions, presents an overdue common-sense solution modeled after the effectiveness of Title IX coordinators. ADL has long advocated for Title VI coordinators to ensure compliance with the

federal Civil Rights Act of 1964 and to promote equity and accountability. Coordinators should be trained to assess reports of discrimination, provide clear and accessible reporting mechanisms, and ensure timely investigations and transparency. These roles would help consolidate reporting processes and alleviate the confusion students like me have faced in moments of need, while better equipping educational institutions to respond to and protect their students.

Title VI coordinators would also enhance the ability of schools to track and address trends in harassment and discrimination. This includes conducting annual campus climate surveys and maintaining data dashboards with anonymized incident trends to promote transparency and accountability. These measures are not just about compliance, but about fostering trust and safety for all students.

This legislation is not limited to protecting Jewish students—it addresses the rising tide of bias and discrimination that impacts all students. Every victim deserves to be listened to. Students should be able to easily access information about what help is available to them after a bias incident rather than wonder whether their school will take action.

As a proud Maryland terrapin, I would love to see our great state take this important step to protect students. The University System of Maryland, with its history of excellence, has an opportunity to set a standard in ensuring equity, safety, and accountability for all students.

For these reasons, I respectfully urge the committee to support and advance House Bill 109. Thank you for your consideration.

Sincerely,

Lily Fleischmann

Assistant Regional Director

ADL Washington D.C.

MD HB 109 - Title VI Coordinators Oral Testimony.p

Uploaded by: Meredith Weisel

Position: FAV



**Maryland General Assembly
House Appropriations Committee
February 10, 2026**

**HB 109 – Institutions of Higher Education and Elementary
and Secondary Schools – Title VI Coordinators**

Testimony of Meredith R. Weisel

ADL Vice President of State and Local Advocacy

Chairman Barnes, Vice Chairwoman Kaiser, and Members of the Committee, I am pleased to submit this testimony on behalf of ADL (the Anti-Defamation League) in **support of House Bill 109, Institutions of Higher Education and Elementary and Secondary Schools – Title VI Coordinators**, which requires all institutions of higher education and local school systems within the state to designate a Title VI Coordinator to ensure compliance with Title VI of the Civil Rights Act of 1964.

As you may know, ADL is a leading anti-hate organization founded in 1913 with a mission to “stop the defamation of the Jewish people and to secure justice and fair treatment to all.” Today, ADL continues to fight all forms of antisemitism and bias, using innovation and partnerships to drive impact. A global leader in combating antisemitism, countering extremism and battling bigotry wherever and whenever it happens, ADL works to ensure a just and inclusive society for all.

We are facing a troubling rise in antisemitism, particularly on college and university campuses and in our K-12 schools. In 2024, ADL recorded 1,694 antisemitic incidents on campuses across the nation – an 84% increase compared to the previous year. On numerous occasions, disturbing rhetoric escalated into aggressive actions, as encampments on dozens of college campuses were frequently sites of harassment against Jewish people on campus, including vandalism equating Stars of David with swastikas. These activities created an environment of fear and hostility for Jewish students and faculty.

Last year, ADL in partnership with Hillel International and College Pulse fielded a survey of college students at 135 universities across the United States. The results noted that 83% of Jewish college students have experienced or witnessed antisemitism firsthand since the October 7th attack. 41% of Jewish students felt the need to hide their Jewish identity and one-in-four felt compelled to take security precautions. The most alarming statistic is that two-thirds of Jewish students lack confidence in their university’s ability to prevent antisemitic incidents. That is why bills like **HB109** are so crucial in this current environment.



Title VI states that “no person in the United States shall, on the basis of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.” This includes discrimination based on a group’s actual or perceived shared ancestry or ethnic characteristics. A hostile environment exists if the harassment denies or limits a student’s ability to participate in or benefit from the institution’s educational programs and activities.

Colleges and universities must take prompt action that is reasonably calculated to end the harassment, eliminate the hostile environment, and prevent the harassment from recurring, or they risk violating Title VI. However, students are not always aware of these protections under Title VI, or how to engage them effectively. At the same time, colleges and universities may not be equipped to comply with Title VI and ensure that all students are protected from discrimination and harassment.

HB109 seeks to address this issue by requiring each State institution of higher learning and local school systems to designate a Title VI Coordinator. This Coordinator would be tasked with overseeing compliance with Title VI, providing training and educational resources regarding Title VI laws and regulations, and documenting and investigating complaints. This individual would serve a purpose similar to a Title IX Coordinator.

In fact, the University of Maryland has already hired a designated Title VI coordinator. **HB109** would encourage other state universities to follow suit.

**We urge the Appropriations Committee to give
House Bill 109 a favorable report.**

HB109 OPPOSE.pdf

Uploaded by: Grace Wilson

Position: UNF



HB0109 – INSTITUTIONS OF HIGHER EDUCATION AND ELEMENTARY AND SECONDARY SCHOOLS – TITLE VI COORDINATORS

February 10, 2026

APPROPRIATIONS

OPPOSE

Grace Wilson, Director of Legislation & Policy (410.440.1758)

Anne Arundel County Public Schools (AACPS) opposes **HB0109 – Institutions of Higher Education and Elementary and Secondary Schools – Title VI Coordinators**. This bill requires local school systems to designate Title VI coordinators to ensure compliance with Title VI of the Federal Civil Rights Act of 1964. A Title VI Coordinator must: (1) have expertise in and oversee compliance with Title VI laws and regulations; (2) promote equal access to and participation in the programs and activities of the local school system; (3) provide training and educational resources regarding Title VI laws and regulations; (4) document complaints; (5) forward complaints to the State Superintendent; (6) maintain records and reports; and (7) perform any other relevant duties established by the local school system. Accordingly, a person alleging discrimination may file a complaint with the State Superintendent or, if applicable, the Title VI coordinator of the local school system or both.

This bill infringes upon local governance by requiring an employee within the school district to be designated as a Title VI Coordinator. In addition, the person holding the title would be required to respond on behalf of the school district to any complaint of discrimination filed under Section 26-705 of the Education Article, in much the same way that an attorney or Equal Employment Opportunity Officer (EEO) responds to a complaint of employment discrimination to the Equal Employment Opportunity Commission or other state or local fair employment practices agency (FEPA). The Coordinator would also be required to train others regarding Title VI, document the complaints, and maintain records relative to the complaints as filed. Sections 26-704 (discrimination prohibition) and 26-705 (complaint of discrimination) of the Education Article became effective July 1, 2022. The designation of a Title VI Coordinator creates an obligation of a specific person within a local school district to ensure that complaints under the law are being investigated, recorded and managed. Furthermore, since the inception of Section 26-705 of the Education Article, AACPS has not been advised by the Maryland State Department of Education of any such complaints filed under this provision of the law. It does not appear to be necessary at this point to designate a person for this role. Most related complaints have been filed directly through the U.S. Department of Education's Office of Civil Rights and have been handled by the Office of General Counsel, the EEO/ADA Office, or Special Education. Even if AACPS were to receive a complaint from the state filed under the specified provision, the normal operating procedure would apply. Complaints would be thoroughly reviewed, and a response would be sent to the state as the law already requires.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB0109.

HB 109_ Institutions of Higher Education and Elem

Uploaded by: Trudy Tibbals

Position: UNF

HB 109: Institutions of Higher Education and Elementary and Secondary Schools - Title VI Coordinators: Please vote TO **OPPOSE** this bill.

Dear Appropriations Committee:

I am writing to respectfully **oppose HB 109**, which mandates Title VI coordinators for institutions of higher education and elementary and secondary schools.

While preventing unlawful discrimination is an important goal, **HB 109 creates unnecessary bureaucracy, expands administrative authority without sufficient guardrails, and risks undermining due process for students, parents, and educators.**

Most school systems and higher education institutions already comply with **federal Title VI requirements** and have existing procedures to address complaints. **HB 109 imposes a state-mandated layer of compliance that is duplicative, costly, and unfunded**, diverting limited resources away from classrooms, instruction, and student support services.

Equally concerning is the **concentration of investigatory and enforcement power** in newly designated coordinators **without clear limits, uniform standards, or robust procedural protections**. Expanding administrative roles with broad discretion **invites inconsistent application, mission creep, and ideological enforcement**, rather than neutral and fact-based adjudication of complaints.

Schools should be environments that promote learning, viewpoint diversity, and fairness—not bureaucratic compliance regimes that eliminate free speech, bypass established disciplinary processes, or substitute administrative judgment for **clear legal standards and due process protections**.

Decisions about staffing structures and compliance mechanisms are best left to **local school boards and institutional governance**, not imposed through statewide mandates that fail to account for differences in size, capacity, and community needs.

Maryland can uphold civil rights **without expanding administrative power, increasing costs, or weakening due process**. **HB 109 does not strike that balance.**

For these reasons, I respectfully urge you to **oppose HB 109**.

Thank you for your time and thoughtful consideration.

Respectfully,
Trudy Tibbals

HB109_USM_INFO.pdf

Uploaded by: Andy Clark

Position: INFO



HOUSE APPROPRIATIONS COMMITTEE

House Bill 109

Institutions of Higher Education and Elementary and Secondary Schools - Title VI Coordinators

February 10, 2026

Letter of Information

Chair Barnes, Vice Chair Kaiser and members of the committee, thank you for the opportunity to offer testimony on House Bill 109. The bill requires institutions of higher education, including those comprising the University System of Maryland (USM), to designate a coordinator to ensure compliance with Title VI of the federal Civil Rights Act of 1964.

The USM comprises twelve distinguished institutions, and three regional higher education centers. We award eight out of every ten bachelor's degrees in the State. Each of the 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 and research universities, and the country's largest public online institution.

The Civil Rights Act of 1964 is widely regarded as landmark legislation that prohibits discrimination based on race, color, religion, sex, and national origin. Title VI of the Act specifically protects individuals from discrimination based on race, color, and national origin in programs and activities that receive federal financial assistance.

In some cases, Title VI complaints are managed by the Title IX coordinator. At other institutions, these responsibilities fall to roles such as the assistant vice president for equity and civil rights, fair practices officers, assistant vice president for student success, or, when employees are involved, the chief human resources officer. Staff in these positions often also provide strategic leadership on compliance with all categories covered by institutional discrimination and harassment policies and procedures.

USM is concerned with language in the bill that would require the governing board of each institution of higher education to "designate a Title VI Coordinator." This responsibility should rest with each individual campus, not the governing board, which in our case is the Board of Regents.

Our institutions already have clear, standardized processes for handling Title VI complaints. These procedures are guided by non-discrimination policies and related protocols. Complaints can be submitted through staff contacts (via phone or a central email address), online reporting forms, or hotlines. Anonymous complaints are accepted, though they are more difficult to investigate. When the complainant is known, staff conduct an intake meeting to gather all relevant information for assessment. The concern is then evaluated to determine whether, if true, the alleged behavior constitutes discrimination. If so, the matter is investigated under applicable policies and procedures, and a determination and resolution follow.

Complaints involving non-students are handled similarly, by multiple offices – such as the president’s office, student affairs, human resources, and equity/civil rights – across campuses, and is shared in policies, during orientation, and often annually via email to the entire campus community. While there are no federal training requirements, USM institutions provide – and in some cases mandate – Title VI or non-discrimination training for various campus groups.

This critical Title VI work is already occurring at our institutions. The System hopes this bill does not require creating a new, specifically named Title VI coordinator, as doing so would be challenging given the current budget constraints. Thank you for allowing USM to share this information as the Committee considers House Bill 109.



MICUA HB 109 - Title VI Coordinators LOI.pdf

Uploaded by: Beatrix Peck

Position: INFO



Letter of Information

House Appropriations and Ways and Means Committees

House Bill 109 (Vogel) Institutions of Higher Education and Elementary and Secondary Schools – Title VI Coordinators

Matt Power, President

mpower@micua.org

February 10, 2026

On behalf of Maryland's independent colleges and universities and the more than 56,000 students we serve, thank you for the opportunity to provide a letter of information to [House Bill 109 \(Vogel\) Institutions of Higher Education and Elementary and Secondary Schools – Title VI Coordinators](#).

HB 86 would require “each institution of higher education to designate a Title VI Coordinator to ensure compliance with Title VI of the Federal Civil Rights Act of 1964”. The legislation has enumerated the tasks and responsibilities of a Title VI Coordinator, such as promoting equal access and participation in programs and activities, providing training and educational resources, documenting and investigating complaints, and maintaining records and reports.

MICUA institutions support the practice of promoting equity, fairness, access, and inclusivity on the campuses and are compliant with Title VI. Our campuses offer a myriad of diverse training and resources for many protections, including Title IX. However, schools will bear a substantial increase in costs to employ a designated Title VI Coordinator. Passage of HB 86 would impose on MICUA institutions an expectation to allocate funding in their overly committed budgets to invest in training, consultation, and policy drafting. Currently, MICUA institutions do not have the budget resources or strategic planning for the addition of a position dedicated to Title VI. Several considerations and costs are associated with this new role requirement for institutions of higher education that go beyond designating a Title VI Coordinator.

Between fiscal years 2024 and 2025, the Sellinger program received a 48% reduction in funding. These reductions have had negative repercussions at all the MICUA institutions. Due to changes in the funding formula, the reduction was not spread equitably across all our institutions. Some institutions suffered much more significant reductions, resulting in a loss of enrollment and services provided. The likely minimum salary and benefits of a designated Title VI Coordinator is anticipated to be \$100,000 and a small-scale institution with a reduced budget would encounter challenges to commit funding to hire an individual for the role.

Thank you for the opportunity to provide this information on behalf of our institutions regarding House Bill 109. If you have any questions, please contact Irnande Altema, Associate Vice President for Government and Business Affairs, ialtema@micua.org.

HB109 - State Board & MSDE - LOI .docx.pdf

Uploaded by: Donna Gunning

Position: INFO

TO: House Appropriations Committee

BILL: House Bill (HB) 109 - Institutions of Higher Education and Elementary and Secondary Schools - Title VI Coordinators

DATE: February 10, 2026

POSITION: Letter of Information

The Maryland State Department of Education (MSDE) submits this letter of information on HB0109 - Institutions of Higher Education and Elementary and Secondary Schools - Title VI Coordinators. This bill requires each local education agency to designate a Title VI Coordinator, directs coordinators to forward complaints to the State Superintendent, and allows individuals to file Title VI discrimination complaints with the LEA, the State Superintendent, or both, effective July 1, 2026.

Current Practice

Local education agencies (LEAs) that receive federal financial assistance are required to comply with Title VI of the federal Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin, including discrimination against individuals who are limited English proficient (LEP). 34 C.F.R. 100.

As required by federal law, all twenty-four (24) LEAs currently have non-discrimination policies that prohibit discrimination based on race, color, and national origin, among other protected classes, and currently have staff designated to address complaints and ensure compliance with these regulations, although such staff may not be formally classified as Title VI Coordinators. In addition to these local supports, Md. Code Ann., Educ. 26-705 currently permits individuals to file a complaint with the State Superintendent alleging discrimination on said protected classes against a county board, public prekindergarten program, public primary or secondary school, or any nonpublic prekindergarten program, primary, or secondary school that receives State funds.

To support LEAs, MSDE publishes the Department's Nondiscrimination in Education Procedure on its website. This process includes receiving discrimination complaints, requesting responses from LEAs regarding allegations, considering mediation, reviewing claims, issuing written decisions, reopening complaints when appropriate, and notifying parties of their appeal rights. Mediation and adjudication services for these complaints are provided by the Office of Administrative Hearings, with associated fees billed to MSDE.

HB0109

HB0109 does not indicate the purpose of LEA Title VI Coordinators forwarding internal discrimination complaints they received to the State Superintendent, nor does it indicate a period when Title VI Coordinators must complete this action. It is not clear whether the purpose of forwarding complaints to the State Superintendent is to monitor, provide oversight, keep records of complaints received at the local level, or whether the purpose is to have MSDE take some other specific action upon receipt of a forwarded complaint. HB0109 also cites that individuals may file Title VI complaints with the Title VI Coordinator, State

Superintendent, or both. As currently drafted, HB0109 appears to require simultaneous review of Title VI allegations by both the LEA and the State Superintendent in cases when an individual files locally *and* at the State level, which could result in duplicative administrative tasks, investigations, and use of governmental resources for a single complaint during the same period. The legislature may want to consider adding additional verbiage to the bill to clarify its intent, avoid redundancy, inefficient allocation of government resources, and ambiguity about the Legislature’s intention for this legislation

Notably, MSDE lacks the staffing capacity to assume additional investigative responsibilities beyond those currently required under § 26-705. The Office of the Ombudsman, which consists of a single staff member, currently serves as a liaison among the State Superintendent, the Office of the Attorney General, the Office of Administrative Hearings, and LEAs in addressing § 26-704 complaints; referring every LEA complaint to this office would exceed its capacity. This unit is fully engaged in these statutory duties, and assigning additional investigative responsibilities under HB0109 would exceed available resources.

Moreover, if every LEA Title VI complaint were referred to the State Superintendent and processed through the Office of Administrative Hearings for mediation or adjudication—services billed to MSDE—the resulting fiscal impact would be significant.

MSDE remains committed to ensuring equal access to education and safe, nondiscriminatory environments for all students and staff. Clarifying the purpose of these proposed changes to existing law would help the agency assess their overall operational and fiscal impact.

The State Board and MSDE respectfully request that you consider this information as you deliberate HB0109. Please contact Laurel Cratsley, Interim Executive Director of Government Affairs, at laurel.cratsley@maryland.gov or at 443-571-5461, for additional information.