



LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
U N D E R L A W

March 30, 2026

Chair Brian J. Feldman
Maryland Senate Committee on Education, Energy, and the Environment
Miller Senate Office Building, 2 West Wing
Annapolis, MD 21401

Re: In support of House Bill 649, Advancing Equal Educational Opportunities for All Students in Maryland

Dear Chair Brian J. Feldman:

The Lawyers' Committee for Civil Rights Under Law strongly supports House Bill 649 ([HB 649](#)) "Advancing Equal Educational Opportunities for All Students in Maryland." HB 649 is a strong bill which steps up to protect all Maryland students, fill the enormous canyon left by an unavailable federal civil rights enforcement infrastructure, and bolster a previously incomplete state infrastructure to protect students.

The Lawyers' Committee is a nonpartisan, nonprofit organization, formed in 1963 at the request of President John F. Kennedy to enlist the private bar's leadership and resources in combating racial discrimination and the resulting inequality of opportunity—work that continues to be vital today. Today, the Lawyers' Committee uses legal advocacy to achieve racial justice, fighting inside and outside the courts to ensure that Black people and other people of color have the voice, opportunity, and power to make the promises of our democracy real. We have deep knowledge of and experience advocating for civil rights protections for students and for the full realization of the promise in *Brown v. Bd. of Education*, that education be made available to all on equal terms. We have litigated or supported litigation in numerous cases impacting education civil rights for students, including litigating on behalf of students, teachers, and/or other members of school communities in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard Coll.*, No. 20-1199 (U.S.); *Students for Fair Admissions, Inc. v. Univ. of N.C.*, No. 21-707 (U.S.); *Students for Fair Admissions, Inc. v. Univ. of Tex. at Austin*, No. 1:20-cv-00763-RP (W.D. Tex.); *Black Emergency Response Team v. Drummond*, No. 5:21-cv-01022-G (W.D. Okla.); *Walls v. Sanders*, No. 24-1990 (8th Cir.); and *Hoke Cnty. Bd. of Educ. v. North Carolina*, No. 425A21-1 (N.C.), and submitting amicus briefs in *Nat'l Council of Nonprofits v. McMahon*, No.

1:25-cv-13242-MJJ (D. Mass.); *Robert F. Kennedy Ctr. for Just. & H.R. v. McMahon*, No. 1:25-cv-03860-AHA (D.D.C.); *Am. All. for Equal Rts. v. Hispanic Scholarship Fund*, No. 1:25-cv-04207-LLA (D.D.C.); *Coal. for T.J. v. Fairfax Cnty. Sch. Bd.*, No. 22-1280 (4th Cir.); *Bos. Parent Coal. for Acad. Excellence Corp. v. The Sch. Comm. of the City of Bos.*, No. 22-1144 (1st Cir.); *Pennsylvania v. DeVos*, No. 1:20-cv-01468 (D.D.C.); *New York v. Dep't of Educ.*, No. 1:20-cv-4260 (S.D.N.Y.); *Victim Rts. L. Center v. DeVos*, No. 1:20-cv-11104 (D. Mass.); and *Mahoney Area Sch. Dist. v. B.L.*, No. 20-255 (U.S.).

For more than six decades the Office for Civil Rights in the U.S. Department of Education (including its predecessor entity) and the Civil Rights Division in the U.S. Department of Justice enforced federal civil rights laws that protect students from discrimination. Today, both agencies have been decimated by the federal administration. About 75% of all attorneys have been driven out of the Civil Rights Division, including those working specifically on education civil rights enforcement. The Office for Civil Rights, which once boasted a staff of around 1100, has been reduced to a couple of hundred staff members, who continue to be threatened with termination. Seven of its twelve regional civil rights enforcement offices have been shuttered and the administration has attempted to eliminate nearly all of the staff in the remaining 5 offices.¹ And just last week, the administration announced that it was ousting the Department of Education from its headquarters at the Lyndon Baines Johnson building in D.C., where the Department has been headquartered since its inception—another tangible step towards destruction of the Department of Education and evisceration of its capacity to enforce civil rights protections.

At the same time, around 30,000 complaints of discrimination are pending and unresolved with the Office for Civil Rights. Over the last year, both the Office for Civil Rights and the Civil Rights Division have taken significant action to diminish the civil rights of Black Students and other students of color, while resolving virtually no investigations to protect their civil rights. This is particularly concerning as the Office for Civil Rights was established in 1965 within the predecessor to the Department of Education to enforce the Civil Rights Act of 1964, with the specific mandate of protecting students from discrimination based on their race, color, or national origin. And based on publicly shared resolutions over the past year, OCR appears to

¹ In addition to the administration's continued efforts to eliminate the Office for Civil Rights, the administration has attempted to eviscerate other components of the Department of Education that administer funding and oversee laws which ensure students can access education. This includes attempts to eliminate the Office of English Language Acquisition, which oversees funding under Title III of the Elementary and Secondary Education Act, which provides funding to states and school districts in furtherance of assisting students who are English Learners; and the Office of Special Education Programs, which administers the Individuals with Disabilities Education Act of 2004. And the administration has entered into 10 interagency agreements with five other federal agencies, to parcel out its responsibilities to agencies that lack necessary institutional expertise and essential infrastructure to perform the work.

have all but ceased resolving complaints of sexual harassment and sexual violence in schools, as well as complaints regarding the civil rights of students who are English Learners. The federal civil rights enforcement infrastructure is failing students and school communities in Maryland and throughout the country—It is taking us backwards on the promise of educational equity.

The decimation of the federal enforcement infrastructure is unprecedented and it could take years or even decades to repair and rebuild the infrastructure. It is essential today and for the future that all states take responsibility for protecting their students—this is a clear model of what states can do on their own, whether or not the federal government fulfils its obligations to the nation's students. States independently bear a responsibility to protect the civil rights of their students. Maryland has a responsibility to ensure all students can access education on equal terms and that responsibility should not hinge on whether the federal government is able or willing to perform its obligations to all students in our country. And with the passage of HB 649, Maryland has the opportunity to position itself as a leader in ensuring civil rights for students and school communities.

HB 649 is a strong bill that expands Maryland's education anti-discrimination law and the agencies that enforce it at a critical time when students in Maryland and throughout the country are left unprotected by federal agencies obligated to uphold their rights. This vital legislation provides more robust civil rights enforcement for students, authorizing the Maryland Commission on Civil Rights to investigate and resolve complaints alleging discrimination by educational institutions. HB 649 ensures that students' civil rights are protected throughout their educational journey from PreK through postsecondary. It protects students both from policies and practices that treat students differently and policies and practices that have an unjustified discriminatory effect on students based on protected characteristics. And it empowers students and families to better enforce their rights to be free from discrimination, by allowing students and families to file a civil action alleging education discrimination in court. This inclusion of a private right of action is an essential addition to Maryland civil rights law mirroring legal rights that have historically existed under federal civil rights law.

Over the past year, the U.S. Department of Education's leadership has taken aggressive action to dismantle the Department of Education, abandon its mission, parcel out its responsibilities, and weaponize civil rights law against students, schools, and colleges. For students and families in Maryland, the U.S. Department of Education is unavailable to ensure their civil rights are protected. But Maryland doesn't have to be unavailable for its students and families—the state now has the opportunity to establish meaningful and critical safeguards. HB 649 provides essential protections for Maryland students and provides them at a critical time. We commend the Maryland Senate Committee on Education, Energy, and the Environment for its consideration of HB 649 and respectfully urge the Committee to issue the bill a favorable report.

Thank you,

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