



APRIL 1, 2026

Maryland Should Guarantee All Students Protection Against Discrimination

Position Statement in Support of House Bill 649

Given before the Senate Committee on Education, Energy, and the Environment

Educating Maryland's children, from early childhood on to college and beyond, is one of the most important responsibilities of our state government, as well as one of the strongest tools available to support long-term economic growth. And like all public services, choices about how we used our shared investments in education can either advance broadly shared opportunity or further entrench existing inequities.ⁱ Robust anti-discrimination protections, along with effective enforcement, are essential to guarantee all Marylanders the education they deserve – especially at a time when the federal government cannot be relied on to protect students. House Bill 649 would strengthen state protections against discrimination for all students and extend those protections to include higher education. **For these reasons, the Maryland Center on Economic Policy supports House Bill 649.**

House Bill 649 would remedy two major shortcomings in Maryland's system of legal protections against discrimination in education:

- The Maryland State Department of Education is responsible for enforcing protections for pre-K–12 students. As the executive branch agency tasked with implementing the state's education policies – and itself capable of engaging in discrimination – MSDE does not have the necessary independence to bear sole enforcement authority for these laws effectively. House Bill 649 would expand enforcement authority to include the Maryland Commission on Civil Rights, the independent agency that enforces other anti-discrimination protections such as employment equal opportunity law. The law also enables courts to enforce anti-discrimination protections in education.
- The state does not independently protect higher education students from discrimination, instead forcing them to rely on federal law. At the best of times, this gap narrows students' recourse options when institutions violate their rights. Today, the Trump administration's demonstrated hostility to civil rights law seriously undermines the effectiveness of federal protections.ⁱⁱ House Bill 649 would codify protections for higher education students and bring them into a single enforcement framework under the Maryland Commission on Civil Rights.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Senate Committee on Education, Energy, and the Environment make a favorable report on House Bill 649.

Equity Impact Analysis: House Bill 649

Bill summary

House Bill 649 would establish comprehensive protections against discrimination in all levels of education, create a unified enforcement framework under the Maryland Commission on Civil Rights, and enables state courts to enforce anti-discrimination protections in education.

Background

The Maryland State Department of Education is responsible for enforcing protections against discrimination in pre-K–12 education. Federal law prohibits discrimination in higher education, but no corresponding state laws exist.

Equity Implications

Robust and effectively enforced protections against discrimination are core to advancing equity through public policy. Codifying these protections in state law is especially important at a time when the federal government cannot be relied on to enforce its own anti-discrimination protections. Since January 2025, the Trump administration has drastically cut funding and staffing at civil rights enforcement bodies, routinely dismissed legitimate discrimination complaints, and in some cases actively advocated for discrimination, such as against transgender students.

Impact

House Bill 649 would likely **improve equity along lines of race and ethnicity, gender including gender identity, sexual orientation, and disability** in Maryland.

ⁱ See the Maryland Center on Economic Policy's *Budgeting for Opportunity* series, <https://mdeconomy.org/category/budgeting-for-opportunity/>

ⁱⁱ See for example:

Collin Binkley, "Families Turn to States for Civil Rights Support as Trump Dismantles the Education Department," *Associated Press*, 2026, <https://apnews.com/article/education-department-discrimination-civil-rights-745ab6d2fc6d4763c5c23670761de490>

Jennifer Smith Richards, Megan O'Matz, and Jodi Cohen, "Monkey Sounds, 'White Power' and the N-Word: Racial Harassment Against Black Students Ignored Under Trump," *ProPublica*, 2025, <https://www.propublica.org/article/trump-education-department-civil-rights-racial-harassment>

Sarah Lynch, "Ex-Employees of US Justice Department Blast 'Destruction' of Civil Rights Unit," *Reuters*, 2025,

<https://www.reuters.com/legal/government/ex-employees-us-justice-department-blast-destruction-civil-rights-unit-2025-12-09/>

Lisa Francois, "Educators Speak Out on Harms of Unlawful Education Department Directive," American Civil Liberties Union, 2025,

<https://www.aclu.org/news/racial-justice/educators-speak-out-on-harms-of-unlawful-education-department-directive>

Sarah Hinger, Ricardo Mimbela, and Linda Morris, "Trump's Attempt to Roll Back Key Civil Rights-Enforcement Tool," American Civil Liberties Union, 2025, <https://www.aclu.org/news/racial-justice/trumps-attempt-to-roll-back-key-civil-rights-enforcement-tool>