

March 30, 2026

BILL: HB 0649 – Advancing Equal Educational Opportunities for All Students in Maryland

RE: Written Testimony in Support of HB 0649

Dear Chair and Members of the Government, Labor and Elections Committee:

I am writing to express my **strong support for HB 0649**. I write from two perspectives: as a mental health professional with extensive experience working with children and adolescents, and as a parent who has directly experienced disability-related discrimination within Prince George’s County Public Schools (PGCPS).

All students, regardless of race, color, ethnicity, national origin, ancestry, religion, sex, sexual orientation, gender identity, pregnancy, age, marital status, or disability, deserve equal access to educational opportunities, enrichment activities, and full participation in the school community. Equity in education must mean more than physical presence in a building — it must include meaningful inclusion, access to opportunities, and the ability to participate in the same academic and extracurricular experiences as peers.

From a professional standpoint, behavioral dysregulation is often a manifestation of an underlying disability, not a willful choice or character issue. Best practices in education, mental health, and disability law are clear: students should not be excluded from educational opportunities, enrichment activities, field trips, extracurricular programs, school-based experiences, or academic instruction commensurate with their abilities due to characteristics that fall within statutorily protected classes under federal and state civil rights law, including disability. A student should not be prohibited from receiving academic instruction that is commensurate with their abilities due to emotional or behavioral dysregulation that may be a function of their disability. Exclusion in these circumstances is not only harmful to the child’s emotional and social development, but it also raises serious concerns regarding equity and discrimination. It is the duty of the school system to ensure that appropriate accommodations and supports are provided to promote optimal academic performance and student success. This is not optional; it is a legal and ethical obligation.

From a personal standpoint, I am the parent of a high performing student with a disability, yet my child has remained placed in a classroom with significantly lower academic-performing peers primarily due to behavioral dysregulation that is a manifestation of his disability. In addition, my child and other students within his program have been excluded from field trips, school programs, extracurricular activities, and even opportunities such as participation in both the school-level and district-level science fair. These are not minor events in a child's life — these are formative experiences that shape social development, school connectedness, and self-esteem. When students are systematically excluded due to characteristics that fall within statutorily protected classes under federal and state civil rights law, the message they receive is that they are not full members of the school community.

I am also concerned that appropriate alternatives, such as twice-exceptional programming and other enrichment-based supports, were overlooked and only considered after significant parent urging and advocacy. Students who are twice exceptional should not be academically limited due to a disability when they are capable of high performance with appropriate supports.

Due to repeated concerns regarding exclusion and inequitable access to opportunities, I have had to elevate these matters beyond the school level and engage administrative staff at the District level. No parent should have to fight this hard for their child to be included in the same educational experiences as their nondisabled peers.

These are issues that historically would have been addressed through the U.S. Department of Education's Office for Civil Rights (OCR) complaint process. However, considering the current dismantling and downsizing of the Civil Rights Office within the Department of Education, many families are now left without a clear or timely process for resolution when discrimination occurs. When federal oversight mechanisms are weakened, it becomes even more important for states to ensure that strong protections, clear accountability, and accessible remedies exist at the state level.

HB 0649 represents an important step toward ensuring that students, including those with disabilities and all individuals who fall within statutorily protected classes under federal and state civil rights law, are not excluded, either directly or indirectly, from the full educational experience. This law would provide an

additional safeguard against educational discrimination and reinforce the principle that protected characteristics should never be a reason for segregation, exclusion, or limited opportunity, particularly when a student can meet academic expectations and participating with appropriate supports.

I respectfully **urge you to support HB 0649** and help ensure that students across Maryland are treated with fairness, dignity, and equity, and are provided access to the same opportunities as their peers.

Thank you for your time, your service, and your consideration of this important legislation.

Respectfully,

Eboni Burch, Psy.D.
PG County Resident