
TO: Senate Education, Energy, and the Environment Committee

BILL: Senate Bill (SB) 0502 - Language Acquisition Tracking Program for Deaf and Hard of Hearing Children - Establishment

DATE: February 26, 2026

POSITION: Oppose

The Maryland State Board of Education (State Board) and State Department of Education (MSDE) respectfully oppose SB 0502 - Language Acquisition Tracking Program for Deaf and Hard of Hearing Children – Establishment. This legislation establishes a statewide system to monitor and track the language acquisition and developmental progress of Deaf and Hard of Hearing children through age nine.

The State Board and MSDE appreciate the sponsors’ collaboration with the Department and their shared commitment to improving outcomes for Deaf and Hard of Hearing students in Maryland. While we strongly support the goal of ensuring equitable access to language acquisition skills, there remain concerns regarding the structures, implementation, and potential unintended consequences of the proposed legislation.

First, the State would need to identify an assessment tool to measure language acquisition progress for Deaf and Hard of Hearing students, which would almost certainly require contracting a vendor, representing a significant additional cost. Teachers of the Deaf and Hard of Hearing students would be expected to administer a language acquisition assessment every six months until the student is nine years old. LEAs would be required to make significant workforce modifications in an area that is already experiencing a shortage. Implementing the new assessment, monitoring, and reporting on new requirements would require additional staff who have highly specialized training at a time when preparation programs are producing insufficient numbers of qualified professionals to meet existing needs. Early intervention programs would likely face a similar burden.

Additionally, MSDE is concerned that the bill's requirements may unintentionally limit local flexibility and professional judgment. Language acquisition for Deaf and Hard of Hearing children is highly individualized and depends on a range of factors, including family choice, communication modality, and access to qualified professionals. A statewide tracking framework may not adequately reflect the complexity and could require local teams to prioritize compliance over individualized decision making, which is the cornerstone of the Individualized Education Program (IEP) process. Moreover, as drafted, the bill risks circumventing the IEP process by effectively pre-determining strategies that would be included in a child’s plan before an individualized evaluation has been conducted.

MSDE currently administers and oversees federal and state-mandated data collection, monitoring, and accountability requirements for students with disabilities, including those who are Deaf and Hard of Hearing.

This is completed through the Individuals with Disabilities Education Act (IDEA) and existing statewide systems. The creation of a parallel language acquisition tracking program risks duplicating current efforts, creating conflicting data requirements, and increasing administrative burden.

Finally, this bill does not address the fiscal impact on the Department, local education agencies (LEAs), and early intervention programs. The legislation assigns substantial responsibility to a new statewide coordinator position, to include oversight of data collection, guidance to local programs, and monitoring of implementation fidelity. This role would require deep expertise in Deaf and Hard of Hearing education, language acquisition, and federal special education law.

The State Board and MSDE remain committed to working collaboratively with the sponsors, the committee, and LEAs to enhance support for Maryland's Deaf and Hard of Hearing community. We welcome opportunities to explore alternatives that build on existing data systems, respect local flexibility, and ensure equitable access to language acquisition skills, while avoiding duplication, undue administrative burden, or unintended consequences. Our shared goal is to create an environment in which every Deaf and Hard of Hearing child can thrive academically, socially, and linguistically, and we look forward to continuing this important work in the interim session.

The State Board and the Department respectfully ask that the committee consider this information as it deliberates **SB 0502**. For further information, please contact Laurel Cratsley, Interim Executive Director of Government Affairs, at 443-571-5461 or Laurel.Cratsley@maryland.gov.