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**TO:** Senate Committee on Education, Energy, and the Environment

**BILL:** House Bill (HB) 649 - Advancing Equal Educational Opportunities for All Students in Maryland

**DATE:** April 1, 2026

**POSITION:** Support with Amendments

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The Maryland State Board of Education (State Board) and the Maryland State Department of Education (MSDE) are providing testimony in support of **HB 649** - Advancing Equal Educational Opportunities for All Students in Maryland, with amendments. The bill seeks to expand pathways for individuals to file discrimination complaints in the educational setting and to strengthen state-level protections.

We support this effort to ensure that individuals have clear, accessible, and effective avenues to seek relief when they believe discrimination has occurred. The Department appreciates the continued collaboration with the Maryland Commission on Civil Rights (MCCR) in advancing policies that promote equity and opportunity for all Maryland students, families, and educators. That partnership reflects a shared commitment to ensuring that every student in Maryland learns in an environment free from discrimination.

Currently, individuals have several avenues available to address allegations of discrimination in education. A complaint may be filed directly with the local education agency (LEA), with appeal rights to the local board of education and the State Board of Education. Individuals may file a complaint with the U.S. Department of Education's Office for Civil Rights under federal law. They may also file a complaint with the State Superintendent under Md. Code, Educ. § 26-705. In addition, individuals may pursue relief in court under federal anti-discrimination laws.

MSDE's Discrimination in Education Article (Md. Code, Educ. § 26-701, et. seq) was enacted to provide a forum for individuals to file discrimination complaints directly with the State Superintendent. That ability to file complaints with the State Superintendent applies to individuals who fall under the auspices of county boards, public prekindergarten programs, public primary and secondary schools, and nonpublic schools and prekindergarten programs that receive State funds. Through this framework, MSDE has served as the enforcing agency for state education anti-discrimination law.

HB 649 would build upon these existing avenues by expanding the forums in which individuals may seek relief and by strengthening the overall system's capacity to investigate and address claims. We recognize the importance of ensuring that Maryland students have meaningful access to remedies, particularly in light of evolving federal enforcement structures. As recent federal rules narrow Title VI liability, it is especially important that state law continue to provide robust protections against disparate impact. Expanding state-level pathways can enhance individuals' confidence that concerns will be reviewed promptly and

independently, and that appropriate relief will be available when violations are substantiated.

At the same time, clarity in process, timelines, and coordination between agencies will be essential to ensure efficient administration, avoid duplication of investigations, and provide predictable procedures for families and school systems alike. The amendments below are offered to ensure clear sequencing, defined responsibilities, and effective coordination between MSDE and MCCR.

MSDE and MCCR have worked closely to ensure that HB 649 makes necessary technical changes and clarifications so that the new provisions function harmoniously with existing law currently under the State Superintendent's authority. In addition to the amendments being sought by MCCR for this purpose, MSDE also proposes the following friendly amendments:

**MSDE Amendments:**

- p. 12, line 26: strike "WITH" and replace with "TO"
- p. 13, lines 12-14: Reorder current paragraph (3) as paragraph (1)
- p. 13, lines 1-6: Strike these lines and replace with:

"(2) Upon receipt of a complaint under subsection (a)(1)(I) of this section, the State Superintendent shall within 10 days determine whether:

  - (I) the complaint alleges a violation of § 26–704 of this subtitle; and
  - (II) if the complaint will be referred to the Commission on Civil Rights for investigation under subsection (a)(1)(II).

(3) If the State Superintendent determines the complaint alleges a violation of § 26–704 of this subtitle and does not refer the complaint to the Commission on Civil Rights, the State Superintendent shall provide notice of the complaint to:

  - (I) The program or school that is the subject of the complaint; or
  - (II) The county board for the county in which the public prekindergarten program or public primary or secondary school is located."
  - p. 13, lines 16-18: Strike "[ (b) ] (B)(1)" and replace with "(B)(3)"
  - p. 15, lines 17-18: Strike "[The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,"

With these amendments, the State Board and the Department respectfully urge the Committee to give **HB 649** a favorable report. For further information, please contact Laurel Cratsley, Interim Executive Director of Government Affairs, at [laurel.cratsley@maryland.gov](mailto:laurel.cratsley@maryland.gov).