



## HB0649 Advancing Equal Education Opportunities for All Students in Maryland

Position: Favorable

April 1, 2026

The Maryland Alliance for Racial Equity in Education (MAREE), a coalition of education advocacy, civil rights, and community-based organizations committed to eliminating racial disparities in Maryland's education system, **offers favorable testimony in support of House Bill 649, the Advancing Equal Educational Opportunities for All Students in Maryland Act.** I speak today centering Black students, families, and communities across this state who have long relied on federal civil rights protections to ensure their children can learn, grow, and thrive free from discrimination. At a moment when the federal government has repeatedly failed to uphold that promise, Maryland must act.

The U.S. Department of Education's Office for Civil Rights (OCR) has historically served as the primary enforcement arm for Title VI of the Civil Rights Act of 1964 — the law that prohibits discrimination based on race, color, and national origin in programs receiving federal funding. For Black students and families, OCR was often the only avenue for recourse when schools failed them.

In March 2025, the Trump administration placed approximately half of OCR's 575 staff on paid administrative leave and shuttered seven of its twelve regional offices. A subsequent Government Accountability Office review found that during the period of disruption, approximately 90 percent of the more than 9,000 discrimination complaints received were resolved by dismissal — not investigation. Families who filed complaints alleging discriminatory discipline, unequal access to rigorous coursework, or racially hostile school environments found their cases closed without remedy. Maryland's 300 pending investigations of discrimination complaints against Maryland schools have likely stalled and the remaining staff are unlikely to have the capacity to investigate new complaints. While OCR staff were eventually recalled in January 2026, the structural instability of the federal enforcement apparatus remains. The administration has made clear its hostility to civil rights enforcement in education, gutting investigations into racial discrimination and rolling back guidance that protected students of color. Maryland cannot afford to wait for the federal government to protect its children. We must codify these protections ourselves.

House Bill 649 authorizes the Maryland Commission on Civil Rights to enforce a comprehensive prohibition against discrimination and retaliation in educational institutions based on race, color, national origin, ethnicity, ancestry, religion, sex, pregnancy, sexual orientation, gender identity, disability, age, and marital status. Critically, it establishes a private right of action — meaning that students and families who experience discrimination will have a path to justice even when government agencies fail to act. For Black students and families, these protections are not abstract. They address real, documented harms that occur daily in Maryland classrooms and on Maryland campuses: racially disproportionate school discipline and exclusionary practices, denial of access to gifted and advanced academic programs, discriminatory harassment and hostile school climates, and inequitable resource distribution that has historically disadvantaged majority-Black school communities.

The bill's extension of protections to higher education is equally essential. Maryland has a long and documented history of operating a racially dual system of higher education. Since 1999, Maryland and the federal OCR have been party to a partnership agreement specifically aimed at improving access, enrollment, retention, and graduation rates for African Americans in the state's public colleges and universities. As federal enforcement weakens, state-level guarantees become the last line of defense for Black students pursuing higher education in Maryland.

HB 649 explicitly includes disability as a protected class — and that inclusion is urgently needed. Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act have long required schools and colleges to provide accommodations, ensure equal access, and refrain from discriminating against students with disabilities. But those laws are only as strong as their enforcement, and federal enforcement has collapsed.

HB 649 fills that vacuum by giving the Maryland Commission on Civil Rights the authority to investigate and enforce disability discrimination claims in educational settings. It also extends those protections to higher education — ensuring that college students with disabilities who face denial of testing accommodations, inaccessible facilities, or unequal participation in academic programs have a meaningful state-level remedy. The bill's anti-retaliation provisions are particularly vital for families of students with disabilities, who are often in ongoing and dependent relationships with the very school systems they need to challenge. Parents who advocate persistently for their children's IEPs and accommodations are vulnerable to pushback and institutional hostility. Codifying anti-retaliation protection in state law creates a meaningful deterrent.

It is also critical to name the intersectional harm this bill addresses: Black students are disproportionately identified for special education, and are simultaneously subjected to higher rates of exclusionary discipline — even when disability is a contributing factor to the behavior being punished. A bill that protects against both racial discrimination and disability discrimination in the same enforcement framework provides compounding protection for one of the most underserved populations in Maryland schools. Section 504 has no meaning if no one enforces it. HB 649 ensures Maryland does.

Maryland has a constitutional and moral obligation to ensure that no child is denied an equal education on the basis of race, disability, or any other protected characteristic. The Blueprint for Maryland's Future — passed in 2021 — represents a generational commitment to closing opportunity gaps and investing in historically underserved students. HB 649 is the necessary civil rights infrastructure that makes that commitment enforceable and durable. A Blueprint without civil rights protection is a promise without teeth.

The private right of action established in this bill is among its most powerful provisions. Historically, Black families and families of students with disabilities facing discrimination in schools have been dependent on government agencies to decide whether their claims were worth pursuing. That dependency has too often meant waiting, being dismissed, or being told that the harm they experienced did not meet some technical threshold for investigation. A private right of action restores agency to families. It means that a Black family whose child has been subjected to racially discriminatory discipline — suspended at rates three times higher than their white peers, as national data consistently show — has a direct avenue to seek accountability without being gatekept by a bureaucracy. The same is true for a family whose child with a disability has been denied accommodations, excluded from programs, or subjected to discriminatory treatment. That is not a radical proposition. That is justice.

The federal government has abdicated its responsibility. This is not speculation — it is the documented, on-the-record conclusion of congressional auditors and civil rights advocates nationwide. In the absence of federal leadership, states like Maryland have the opportunity — and the obligation — to step into the breach. Maryland is a majority-minority state. Our public schools and universities serve hundreds of thousands of Black students, students with disabilities, and students who are both — whose futures depend on educational systems that treat them with dignity, fairness, and equity. HB 649 does not ask for something new. It codifies in Maryland law what the federal government has long promised but now refuses to reliably deliver.

**I urge this Committee and the full General Assembly to pass House Bill 649.**

peace & truth,  
sharlimar douglass  
Education Justice Advocate & Analyst  
Maryland Alliance for Racial Equity in Education (MAREE)