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To: Senate Energy, Education, and the Environment Committee

The members of the National Federation of the Blind of Maryland urge the Senate Energy, Education, and the Environment Committee to give an unfavorable report to SB0079 - County Boards of Education - Student Technology Use Policy – Requirements. The intention of the bill is admirable, but will create problems for students with disabilities, including blind students.

The bill does have a provision for students who use their personal devices for purposes related to their IEP's or Section 504 plans. While this is in theory a good provision, students deserve to retain the confidentiality they now have related to their 504 plans, and thus, their disabilities. A student who is permitted to use their electronic devices signals to other students that they have disabilities, and are thus more susceptible to all forms of bullying—physical, psychological, and/or electronic. For example in 2024, three in five disabled children reported to having been bullied, as compared to one in five non-disabled children. It is also worth noting how these statistics are typically under-reported. Certain characteristics are labeled in this country as protected, including disability. This does not only apply to adults. Children with disabilities deserve to have the same protections, and while improving focus in school is of the utmost importance, so is ensuring all students are safe and protected.

Moreover, colleges who have restricted technology use in classes have reported worse educational outcomes. Moreover, we have heard anecdotally how even college students without disabilities are subjecting their peers with disabilities who are allowed to use technology to bullying.

Students with disabilities use technology not only for access to academic information and learning materials. A blind student may use an iPhone to tell time because they cannot see posted clocks. They may use their phone or iPad for way-finding, e.g. reading classroom door numbers or posted flyers. They may use their technology for audio description or to make information that is only available visually accessible to them. And of course, they may read, take notes, do assignments, and do the typical academic work using technology since blind students are typically print disabled – meaning they cannot effectively use paper, pen, and handwriting.

Additionally, disabled students may use their personal devices for purposes not specifically outlined in their Section 504 plans, but still related to education and alternative techniques. For example, blind students often use apps for Optical Character Recognition (OCR), which allows for pictures of print documents to be turned into accessible text. They may use smart glasses and artificial intelligence to describe the board or slides, even live as teachers are demonstrating something or teaching a lesson. Disabled students may need to put extra reminders into their calendars for assignments, or text themselves, or any number of tasks requiring personal devices but which may not be explicitly stated in their Section 504 plans.

Requiring disabled students to explain themselves to teachers, whether in front of other students or in an individualized setting, creates a chilling effect which could cause them to not use assistive technology to its full potential. Additionally, having one's personal device confiscated prematurely could cause a disabled student to be unsuccessful until the device is returned to them. It is important for our students to learn about and use the tools available to them in preparation for post-secondary education and adulthood; the K-12 setting should be a safe space for them to do so.

For those reasons, we ask for an unfavorable report on SB0079. For questions, please contact me at President@nfbmd.org or at 443-426-4110.