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**House Bill 649:  
Advancing Equal Educational Opportunities for All Students in Maryland**  
Hearing before the House Committee on Government, Labor, and Elections  
February 24, 2026

**Position: FAVORABLE WITH AMENDMENTS**

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty law firm that advances social justice, economic and racial equity, and human rights in Maryland. The PJC provides free legal education and representation to clients with low-income, collaborates with community and advocacy organizations, and advocates before legislatures and government agencies. The PJC's Education Stability Project protects Maryland children's fundamental right to public education by challenging exclusionary discipline and other practices that disproportionately harm historically and currently marginalized students.

**The PJC strongly supports House Bill 649 with favorable amendments.** HB 649 strengthens state-level anti-discrimination legal protections and expands enforcement options to ensure that all Maryland students have equal education opportunities regardless of race, color, national origin, ethnicity, ancestry, religion, sex, pregnancy, sexual orientation, gender identity, disability, age, or marital status.

**Current state law does not adequately protect Maryland students from discrimination.** Maryland's current law (Md. Code, Education §§ 26-701 to 26-705) is significantly limited in comparison to federal civil rights laws prohibiting discrimination in education. For instance, it covers only elementary and secondary students and does not protect higher education students. In addition, it prohibits only intentional discrimination and does not apply to policies or practices that have an unjustifiable discriminatory effect on protected students. It also affords students only 60 days to file a complaint and can only be enforced by the Maryland State Department of Education. Federal civil rights laws once served as a backstop for students left unprotected by gaps in Maryland law, but this is no longer the case.

**Longstanding federal civil rights protections are de facto unavailable to Maryland students.** Federal civil rights laws that have protected Maryland students against discrimination for decades are unavailable to Maryland students as a practical matter because the U.S. Department of Education Office of Civil Rights (ED OCR) has effectively abdicated its obligation to enforce these laws. There are about 300 open education civil rights complaints from Maryland students

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that are stalled, mostly from 2023 or 2024. The majority of ED OCR staff have been terminated or placed on leave, and 7 of 12 field offices have been closed, with caseloads from the closed offices reassigned to the remaining five field offices.<sup>1</sup> As a result, numerous states without existing statutes comparable to federal law have put forward bills much like HB 649.<sup>2</sup>

**HB 649 strengthens Maryland's education anti-discrimination law and expands enforcement options.** HB 649 creates a new state education anti-discrimination law to ensure that all Maryland students have meaningful protection. HB 649 authorizes the Maryland Commission on Civil Rights, an independent agency, to investigate and resolve complaints alleging discrimination by public and private elementary, secondary, and post-secondary schools. MCCR has deep expertise in investigating and resolving discrimination complaints and is well-positioned to enforce this law. HB 649 mirrors federal civil rights law by extending protection to higher education students and by prohibiting facially neutral policies and practices that have a disparate impact on protected groups. Under this legislation, MSDE and MCCR share concurrent jurisdiction over preK-12 complaints, while MCCR would have jurisdiction over higher education complaints.

**Maryland should be the first line of defense for our students regardless of the federal landscape.** Federal civil rights enforcement has been significantly weakened and should be restored but rebuilding that infrastructure will take years—time that Maryland students do not have. Regardless, federal rights should never be the only option or the ceiling for Maryland students. HB 649 is a critical state-level solution to protect students from discrimination and provides the immediate legal recourse that the federal government is currently unable to offer. HB 649 ensures that Maryland students will have effective avenues to address discrimination in school regardless of who is in the White House. This will give much needed consistency in civil rights enforcement so that political fluctuations over the coming decades do not leave students unprotected. We commend the Maryland Commission on Civil Rights for taking the initiative to strengthen state-level legal protections and enforcement infrastructure, in collaboration with the Maryland State Department of Education and Maryland Higher Education Commission.

**The PJC urges the adoption of amendments that would further strengthen HB 649.** First, we urge the Committee to amend HB 649 to remove the restriction on bringing a civil action until 30 days after MCCR adopts initial regulations. Some students and families urgently need court-ordered relief for discrimination because other options are insufficient, and there is no reason to delay this option beyond the effective date of the legislation. In addition, we strongly support proposed amendments set forth in detail in Disability Rights Maryland's written testimony on HB 649, which are critical to ensure that the legislation protects the rights of students with disabilities as intended.

**For these reasons, the PJC respectfully urges the Committee to issue a favorable with amendments report on House Bill 649.**

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<sup>1</sup> See U.S. Gov't Accountability Office, GAO-26-108320, "Department of Education: Full Costs and Savings Estimate Needed for Reduction-In-Force and Restructuring of the Office for Civil Rights Report" (2026), <https://www.gao.gov/assets/gao-26-108320.pdf>.

<sup>2</sup> New Jersey Law Against Discrimination, Stat. Ann. §§ 10:5-1 to 10:5-49; Minnesota Human Rights Act, Minn. Stat. § 363A.03, Subd. 14; New York State Human Rights Law, NY Exec L§ 292 (40) (2025); Colorado Anti-Discrimination Act (CADA), C.R.S. § 24-34-301 et seq; Illinois Human Rights Act, 775 ILCS 5/5-101(11); Connecticut Human Rights and Opportunities Act, C.G.S. § 46a-63(1).