

BILL: Senate Bill 964
TITLE: County Boards of Education - Equal Access to Public Services for Individuals with Limited English Proficiency
POSITION: OPPOSE
DATE: March 13, 2019
COMMITTEE: Education, Health and Environmental Affairs Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, opposes Senate Bill 964.

First, local boards appreciate the intent of this legislation to ensure that local school systems are taking reasonable steps to provide equal access to public services for individuals with limited English proficiency.

MABE opposes this legislation primarily because it proposes to address services already required to be provided to students and parents of students who are not proficient in English by amending a State law not intended to apply to the context of public education programs and services. Most importantly, MABE assures the General Assembly that federal law governing these critically important language services is already in place.

Title I of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), requires local school systems to communicate meaningfully with limited English proficient (LEP) parents, now referred to as parents of English Learner (EL) students under ESSA. The federal law clearly requires local school systems to conduct effective outreach to parents of English Learner (EL) students, including regular meetings. More specifically, school systems must notify EL parents adequately of information about any program, service, or activity called to the attention of non-EL parents.

Regarding translation services, each local school system is already required to have a process to identify parents of EL students and provide them with free and effective language assistance, such as translated materials or an appropriate and competent interpreter. (ESEA, Section 1112(e)(3)(c)).

By contrast, Senate Bill 964 would require that local school systems comply with the provisions of State law, under the State Government Article, which now apply to State agencies and departments to ensure that they provide equal access to public services for individuals with limited English proficiency. Again, MABE believes such services are already adequately governed by federal law with which local school systems are already complying.

For these reasons, MABE requests an unfavorable report on Senate Bill 964.