

THE WASHINGTON REPORT FROM ANNAPOLIS

445th Legislative Session | February 1, 2023, Volume III



Greetings from Annapolis!

Robert Frost was right. Life indeed goes on here in the State Capitol. We are in full force. All Committees have started hearing bills and voting on legislation. Our amazing and dedicated Department of Legislative Services is hard at work drafting a record number of bills for the 2023 session. For my part, from childcare and education reform to ending solitary confinement parameters in corrections centers, I want to help Marylanders achieve the goals closest to their hearts and build a fairer, more just society for all.

Our third week was packed. Firstly, I was appointed Education Subcommittee Chair for our EEE Committee. The Women Legislators of Maryland (aka “Women’s Caucus”) held a briefing on childcare and how childhood trauma influences educational barriers for our students. We discussed the importance of early childhood education, and how a child develops most of their mental growth in their first six years of life. I look forward to making sure that those formative years are stimulating, transformational, and safe.

The Legislative Black Caucus held a press conference to announce our legislative priorities for the 2023 legislative session. These priorities include, but are not limited to cannabis legalization, health, wealth and black businesses, housing equity, and educational reform. As a member of the Executive Board of the Caucus, I am honored to support policies and budget actions which will support our mission: “The caucus envisions a Maryland where African Americans have an equal voice in informing policies, cultivating leaders, advancing civic engagement, and accessing economic opportunities.”

That's it for now. Please read the rest below for more Annapolis happenings and updates. As always, I want to hear from you - please email mary.washington@senate.state.md.us with any questions, comments, or concerns.

In Partnership,

A handwritten signature in blue ink that reads 'Mary Washington'. The signature is fluid and cursive, with the first name 'Mary' and last name 'Washington' clearly distinguishable.

READ "THE ANNAPOLIS REPORT" ONLINE

HERE'S THE LATEST

Great news, Senator Washington was appointed **Chair of Subcommittee on Education** by EEE chairman Brian Feldman.

President Biden announced his plan to



replace the 150-year-old Baltimore and Potomac Tunnel, which will create 30,000 jobs and address the largest rail bottleneck between Washington, D.C and New Jersey. A project kickoff agreement has been signed by the **State of Maryland and Amtrak, which includes a \$450 million** commitment from the state's transportation agency for the tunnel replacement project.

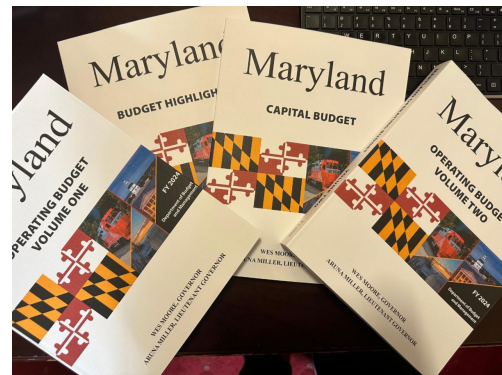
Maryland529 Prepaid College Trust

The Senate convened hearings on this issue last week. Since last spring, parents with prepaid trust accounts have reported being unable to access their account balances or have reported accruing far less money than anticipated due to an interest calculation error, according to agency Executive Director Anthony Savia. During that hearing, Brian Savoie, one of more than 30,000 account holders in the Maryland Prepaid College Trust, told the board that errors in their account balances were not merely an "earnings calculation issue," as described to lawmakers, but the result of a board-approved policy change in June 2021 to pay additional "earnings" to accounts and then a subsequent reversal. I wish I had more answers at this time, but I can assure you I am going to continue fight to get them. If you would like to watch the hearing, you can find the recording here: **[Senate Hearing – view.](#)**

This Week on the Senate Floor...

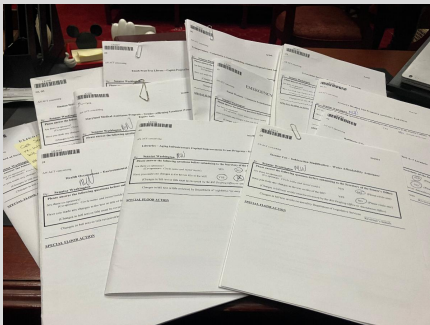
The Senate received the following:

- FY 2024 Operating Budget (HB 200; SB 181);
- Governor's Executive Order creating the Department of Service and Civic Engagement;
- Introduction of Senate Bills, & Bond Initiatives for a total of 513.



[VIEW FLOOR PROCEEDINGS HERE](#)

SPONSORED BILLS & COMMITTEE WORK



Senator Washington requested more that 30 last week. The following are pieces of sponsored legislation which have been "dropped" and now have a bill number:

- **SB 251** State Government - Commission on LGBTQIA+ Affairs - Alterations;
- **SB 347** Baltimore County – Class B–ECF/DS (Education Conference Facility/Dining Service) License – Towson University;
- **SB 349** State Board of Examiners of Psychologists - License and Registration Issuance and Renewals - Electronic Means;
- **SB 351** Maryland Legal Services Corporation - Affordable Life, Wills, and Estate Planning for Seniors Program;
- **SB 353** Higher Education - Hunger-Free Campus Grant Program - Revisions;
- **SB 380** Subtraction Modification - Water Affordability Assistance Program;
- **SB 381** Baltimore City - Alcoholic Beverages -



Administrative, Executive & Legislative Review Committee (AELR).

The committee reviewed regulations promulgated by the Maryland Department of Health regarding Developmental Disabilities Fee Payment System for Licensed Residential and Day Programs, and Substance Use Disorder Registry and Referral System. Read the regulations [**here**](#) and [**here**](#).

Senator Washington is the Senate Chair of AELR

Class A-7 Licenses;

- **SB382** Accessory Dwelling Unit Promotion and Policy Task Force;
- **SB 399** Environmental Health Specialists - Revisions.

[SEE DESCRIPTIONS AND TRACK PROGRESS HERE](#)

WHAT'S HAPPENING IN EDUCATION, ENERGY & ENVIRONMENT (E³)

Joint Committee Briefing with House Appropriation: NCHEMS Report on Maryland Higher Education Commission Program Review.

PANELISTS:

Sally M. Johnstone, Ph.D, Sarah Lugo, Alvin Schexnider (NCHEMS)

Emily Dow, Ph.D. (MHEC)
Chancellor Jay A. Perman, MD, Joann Boughman, Ph.D. (USM)

President David Wilson, MSU
President Tuajanda Jordan, St. Mary's
Mathew Power, President, MICUA

FIRST, SOME BACKGROUND:

Until recently, the State of Maryland has been a defendant in a federal lawsuit, **The Coalition for Equity and Excellence in Maryland Higher Education, et al. v. Maryland Higher Education Commission (MHEC)**. A number of court cases and by its own admission, The University of Maryland System maintained a segregated higher education system years after Brown vs. Board of Education was decided and has violated its constitutional obligation to dismantle all aspects of that segregated system.



FOUR YEARS AFTER her 2013 decision, Judge Blake again orders Maryland to end the programmatic disparity between HBCUs and TWIs by establishing a set of unique, high-demand programs at each HBCU and providing additional funding for marketing and scholarships. **Maryland continues to appeal the decision to the United States Court of Appeals.**

In 2020, Speaker Adrienne A. Jones, introduces House Bill 1260, which would require the State of Maryland to spend \$577 million over 10-years on the four colleges and universities. This amount was similar to what the Coalition proposed in settlement, and was nearly three times as much as the governor of Maryland offered (\$200 million) to settle the lawsuit.

Then Gov. Hogan vetoed the bill.

During the 2021 Legislative Session, the General Assembly passed, and the Governor signed, House Bill 001 and Senate Bill 001 settling the lawsuit and remedying areas of concern relating to MHEC's academic program review processes.



Group portrait of those involved in NAACP cases against the University of Maryland. Donald Murray, Esther McCready, Thurgood Marshall, Parren J. Mitchell & Hiram Whittle.

In December 2000, Maryland and the Office of Civil Rights entered into a Partnership Agreement which set forth commitments that the State and OCR that will make Maryland in full compliance under federal law, particularly Title VI and the standards set forth in *United States v. Fordice* ... regarding Maryland's system of higher education." **One of the "commitments" made by Maryland in the Agreement included "avoiding unnecessary program duplication and expansion of mission and program uniqueness" at HBIs.** Under the Agreement, Maryland and Office of Civil Rights were to assess whether the commitments had been fully implemented by May 2006 and then OCR "acknowledge formally in writing that Maryland has eliminated all vestiges of segregation in its public system of higher education."

Alleging that the State never met its commitments under the OCR partnership agreement, another motion was filed in 2009. The Coalition argued that the State continues to foster segregation and disadvantage Maryland's HBCUs through three ongoing practices. In 2012 a lower court ruled that "the extensive program duplication in Maryland is a traceable vestige of the de jure era."

In 2013, Judge Catherine Blake of the United States District Court for the District of Maryland issued her decision finding Maryland violated the constitutional and statutory rights of HBCU students by duplicating the HBCUs' distinctive programming, thereby limiting the HBCUs' funding and capacity to compete with the State's highly resourced Traditionally White Institutions.

Consequently, **the lawsuit finally settled in May 2021** and the federal court found the State to have cured any policy of unnecessary program duplication.

SO . . . WHAT'S THE REPORT AND WHO IS NCHEMS?

The legislation required, that DLS hire a consultant to study MHEC's capacity and capability to carry out existing and new policies and practices for academic program review of the State's institutions of higher education.

In early 2022, the Maryland Department of Legislative Services (DLS) hired a Colorado-based firm, National Center for Higher Education Management Systems, to conduct the study and make recommendations to the General Assembly.

During briefing week. DLS and NCHEMS provided the Senate EEE and the House Appropriations subcommittee Education and Economic Development with summary of the report.

ACCESS FULL REPORT BELOW:



Of particular significance is recommendation #8

"MHEC should discontinue its practice of allowing institutions to object to others new proposals for programs. "

After reading the report and hearing from the panelists, Senator Washington posed a series of questions and comments centered on the consultants' essentially ahistorical research methodology. Specifically, the final report gives no reference or context for its recommendations which suggest a consideration of the student and **state's interest in "eliminating all vestiges of segregation in its public system of higher education."**

SENATE AND HOUSE ACTION RELATED TO THIS REPORT AND THE ISSUE OF EQUITY IN HIGHER EDUCATION ARE ONGOING

43RD DISTRICT CONSTITUENT & COMMUNITY MATTERS



Elijah E. Cummings Democracy and Freedom Festival

Wednesday, February 8, 2023 | 1:30pm – 8:45 pm | Location: Reginald F. Lewis Museum 830 East Pratt Street Baltimore, MD 21202
OR CHECK OUT...

Reginald F. Lewis Museum Permanent Collection. Where every day is Black History.

The Lewis Museum has over 400 years of history in its permanent collection. Take a journey through Maryland African American history in the areas of industry, politics, leisure activities, sports, media, the arts, education, the military and more.
Monday, Thursday to Saturday: 10am-5pm; Sunday: 12pm-5pm
Tuesday – Wednesday: Closed

RESOURCES & HAPPENINGS



The Maryland The Low Income Household Water Assistance Program (LIHWAP) is a new program providing benefits for water and wastewater costs for low-income households experiencing hardship with their water bills. **You can apply online by visiting: <https://mydhrbenefits.dhr.state.md>. or by calling 1-800-332-6347.**

FOR BALTIMORE CITY RESIDENTS Water4All is a new water billing discount program designed to create more equitable access **you may apply [HERE](#) or call (410) 396-5555.**

Water bills too high?

You could be eligible for discounted, affordable water bills through Baltimore's NEW Water4All program! **Apply now!**

The logo for the Baltimore Right to Water Coalition, featuring a water tap icon and the text "BALTIMORE RIGHT TO WATER COALITION".

KEEP IN TOUCH

43rd District COMMUNITY BOARD

If you are member a 43rd District neighbor, HOA or community association and want to see your event appear in the next newsletter, please email us mary.washington@state.senate.md.us or call our office at (410) 841-3476.

You can follow me on **[Instagram](#)**, **[Twitter](#)**, **[Facebook](#)** or visit my website: www.senatormarywashington.com

As always, I encourage you to contact me about the issues that matter to you or if you would like me to visit your community.



SENATOR WASHINGTON MEETING WITH DISTRICT 43A DELEGATES REGINA BOYCE AND ELIZABETH EMBRY

Please feel free to call or email me.

Until next week...

Your Senator,



DELEGATE CATHI FORBES DISTRICT 43B
OPENING DAY!