

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 951

(Senator Hettleman, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

Education – Student Athletes – Uniform Modifications for Modesty (Inclusive Athletic Attire Act)

This bill requires a local board of education, the Maryland Public Secondary Schools Athletic Association (MPSSAA), a governing body of a public institution of higher education, and a board of a community college trustees, as applicable, to allow a student athlete to modify the student athlete’s athletic or team uniform to make it more modest – so as to conform to (1) the requirements or preferences of the student athlete’s religion or culture or (2) the student athlete’s own preferences for modesty. **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: Public four-year institutions of higher education and Baltimore City Community College can handle the bill’s requirements with existing resources, as discussed below. No effect on revenues.

Local Effect: Local community colleges and local school systems can handle the bill’s requirements with existing resources. No effect on revenues.

Small Business Effect: None.

Analysis

Bill Summary: A student athlete may not be required to receive approval from a coach, a teacher, an administrator, a local board of education, a governing body of a public institution of higher education, or a board of community college trustees, as applicable,

before making a uniform modification. A modification may include the wearing of a head covering worn for religious reasons, an undershirt, or leggings. However, any modification to the uniform or headgear must be black, white, the predominant color of the uniform, or the same color worn by all players on the team.

Further, a uniform modification may not interfere with the movement of the student athlete or pose a safety hazard to the student athlete or others. Specifically, any modification to the headgear may not:

- cover any part of the face, unless required for the safety of the wearer;
- be dangerous to the student athlete or others;
- have opening or closing elements around the face or neck; or
- have parts protruding from its surface.

A student athlete is responsible for all costs associated with any uniform modification, although the bill may not be construed to prohibit a public school or public institution of higher education, as applicable, from providing a uniform modification to a student.

Current Law:

Maryland Public Secondary Schools Athletic Association

MPSSAA operates in conjunction with the Maryland State Department of Education and the 24 local school systems in Maryland to provide interscholastic participation opportunities to student athletes. In March 2017, MPSSAA issued [updated guidance](#) to its uniform standards to allow any participant to wear a head covering, wrap, or other required religious garment as long as it is not abrasive, hard, or dangerous to any other player and attached in such a way that it is unlikely to come off during play. This guidance does not require any approval from coaches, teachers, or administrators for uniform modifications to be made. The guidance specifies that any questions regarding a fundamental alteration of the sport, heightened risk of injury to the athlete/others, or placing opponents at a competitive disadvantage must be referred to the local educational agency and MPSSAA for an individual analysis.

According to the Code of Maryland Regulations, local school systems may adopt rules governing their athletic programs that are more restrictive than those of MPSSAA. However, less restrictive rules may not be adopted.

Workgroup on Intercollegiate Athletics

The University System of Maryland (USM) Board of Regents has a standing [Workgroup on Intercollegiate Athletics](#) that is staffed by USM. The workgroup has recently reviewed and updated the charter for the group and annually focuses not only on ongoing areas of oversight like student-athlete academic achievement, Title IX compliance and equity matters, and athletic department financial matters, but also on student-athlete health and welfare issues. The workgroup includes a student regent with a background in intercollegiate athletics as a member.

State/Local Expenditures: To the extent public institutions of higher education and local school systems must adopt or update regulations in accordance with the bill, associated expenditures may increase minimally. Even so, any such expenditures can likely be handled with existing resources. The University of Maryland, College Park Campus also advises that expenditures may increase to provide student athletes with uniform modifications. However, the Department of Legislative Services advises that the bill does not require specified public institutions or schools to provide uniform modifications; it simply allows student athletes to make modifications at the student's own expense, although a public institution or school may *choose* to provide the uniform modification to the student athlete.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 515 (Delegate Feldmark, *et al.*) - Ways and Means.

Information Source(s): Maryland State Department of Education; Baltimore City Community College; University System of Maryland; Morgan State University; Baltimore City Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - March 8, 2022
fnu2/clb Third Reader - March 24, 2022
Revised - Amendment(s) - March 24, 2022

Analysis by: Michael E. Sousane

Direct Inquiries to:
(410) 946-5510
(301) 970-5510