



Empowerment. Integration. Equality.

1500 Union Ave., Suite 2000, Baltimore, MD 21211

Phone: 410-727-6352 | Fax: 410-727-6389

www.DisabilityRightsMD.org

**HOUSE ECONOMIC MATTERS COMMITTEE
HB 1210 CORPORATE DIVERSITY – BOARD EXECUTIVE
LEADERSHIP, AND MISSION
FEBRUARY 22, 2021**

POSITION: INFORMATIONAL

Thank you for the opportunity to provide testimony to the Committee on behalf of Disability Rights Maryland (DRM, formerly known as Maryland Disability Law Center).

DRM is the only Maryland statewide not-for-profit corporation providing free disability legal and advocacy services, disability rights education and information, public policy advocacy, and abuse and neglect investigations for persons with disabilities and their families. DRM is Maryland's designated Protection & Advocacy agency. DRM is federally mandated to advance the civil rights of people with disabilities. DRM receives the majority of its funding from federal grants and the state IOLTA program.

DRM strives to create a just and inclusive society by advancing the human and legal rights of people with disabilities, securing their opportunities to participate fully in community life, and defending their rights to self-determination, dignity, equality, choice and safety.

DRM's Board of Directors composition is governed by federal laws and our By-laws. Federal law requires that our Board must be comprised of members who broadly represent and understand the needs of the individuals the P&A serves. And a majority of Board members must be people with disabilities including those with mental illness, and/or family members, guardians, and advocates.

DRM is committed to Board diversity, including racial and ethnic diversity, as evidenced by our By-Laws which provide:

“Section 5.3. Qualifications of Board Members. The Board shall seek members statewide who are reflective of the community that DRM serves. The Board Members shall strive for representation of all eligible populations, including individuals with developmental, physical and mental disabilities; **racial, ethnic**, (emphasis added) and geographic diversity; and diversity of age and gender.

A majority of the members of the Board shall be individuals with disabilities who are eligible for services, or have received or are receiving services through the system; or knowledgeable about the needs of the individuals served by the system; or parents, family members, guardians or advocates of such individuals.”

We support the concept that Boards in the State of Maryland should strive to ensure that underrepresented communities or members of an entity's board and executive leadership, however, we raise a number of concerns about the impact of the provisions of this bill on Disability Rights Maryland.

The definition of underrepresented community is limited to particular communities that are underserved and does not include other communities who have been underserved based on physical or mental disability, religion, age, veteran status, sex, sexual orientation, gender identity or expression, or income.

The Department of Commerce and the Office of Small, Minority and Women Business Affairs are given broad authority to regulate the composition of non-profit boards in Maryland.

The bill limits developing the regulations to carry out this section to two government departments that do not have any background or knowledge in non-profit operations or board governance.

There are numerous entities within the State of Maryland who could provide necessary and valuable expertise on how best to ensure when and how Maryland's non-profit boards need to be incentivized by state law to ensure representation by underrepresented communities and who should be included in the definition of underrepresented.

The limitation in this bill requires non-profit boards and organizations to prioritize inclusion of certain underrepresented communities over the other communities listed above.

The bill does not require consideration that many non-profits, like Disability Rights Maryland, are mandated to serve particular communities and are required to prioritize service and board representation to particular communities by their funders. Many non-profits, including Disability Rights Maryland could be subjected to conflicting government mandates and significant funding placed in jeopardy.

These concerns as well as others raised by other members of Maryland's non-profit communities should be carefully considered.

Please contact me if you have any questions or would like additional information. I can be reached at RobinM@DisabilityRightsMD.org or at 240-750-0723.

Respectfully,

A handwritten signature in cursive script that reads "Robin C. Murphy".

Robin C Murphy, Esq.
Executive Director, Disability Rights Maryland