



Letter of Information

Senate Education, Energy, and the Environment Committee
Senate Bill 847 (Hettleman) Higher Education – Antihate and Antidiscrimination Policies and Workgroup (Maryland Campus Accountability and Modernization to Protect University Students Act)

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On behalf of Maryland's independent colleges and universities and the 55,000 students we serve, thank you for the opportunity to provide a letter of support regarding [*Senate Bill 847 \(Hettleman\) Higher Education – Antihate and Antidiscrimination Policies and Workgroup \(Maryland Campus Accountability and Modernization to Protect University Students Act\)*](#). MICUA appreciates the sponsor's commitment to ensuring that Maryland's higher education institutions remain safe, inclusive, and welcoming for all students.

MICUA strongly supports the intent of Senate Bill 847, which seeks to address the critical issues of discrimination, harassment, and campus safety. At a time when students from diverse backgrounds face increasing challenges, it is essential that colleges and universities establish clear policies and training to protect them. Providing resources for faculty and staff to respond to incidents of hate and discrimination is not just a legal responsibility—it is a moral imperative.

However, MICUA is concerned about several aspects of the bill that could create unintended consequences for smaller institutions. These include regulatory burdens, funding disparities, and the complex challenge of balancing free speech protections with speech that some may find offensive or hateful.

Many of the bill's provisions—such as expanded training requirements, annual administrative meetings with student groups, and new expressive conduct policies—will require additional personnel, compliance measures, and funding. While large institutions may have the infrastructure to absorb these requirements, smaller institutions may struggle to meet them without diverting resources from critical academic and student support services.

Additionally, compliance costs—including administrative oversight, reporting mechanisms, and enforcement—could disproportionately impact institutions with fewer administrative staff. Some small colleges already face financial challenges, and while the goals of SB 847 are commendable, it is important to balance accountability with feasibility to avoid unintended consequences such as increased tuition or reductions in student services.

One of the most difficult challenges facing higher education institutions is the need to protect free speech while also ensuring that campuses remain safe and inclusive environments. Colleges and universities are often required to make difficult determinations about the difference between constitutionally protected expression and speech that crosses into harassment or discrimination.

The subjective nature of what constitutes hateful speech can create confusion for students, faculty, and administrators alike. Many institutions have struggled to enforce policies fairly while avoiding potential legal challenges under the First Amendment. SB 847 requires institutions to develop and enforce expressive conduct policies, which, while well-intended, could result in inconsistent interpretations or unintended restrictions on free expression. MICUA urges lawmakers to provide clear guidance on how institutions should implement these policies in a way that upholds both constitutional rights and campus safety.

MICUA also wants to highlight a critical concern regarding funding eligibility for the Campus Community Grant Program created by SB 847. As currently written, the bill limits access to these grant funds to public institutions, excluding private, nonprofit colleges and universities from receiving financial assistance to implement the new requirements. However, private institutions are still subject to the bill's regulatory mandates. This creates a serious imbalance where private institutions—many of which serve diverse and underrepresented student populations—must comply without the same financial support provided to public institutions.

MICUA respectfully urges the Committee to consider expanding eligibility for the Campus Community Grant Program to include private, nonprofit colleges and universities, ensuring that they have access to financial assistance to implement the required policies and training. It would also be helpful if clear guidance was provided on how institutions can balance free speech protections with campus safety measures in a legally sound and equitable manner. Having compliance measures with some scalability would be helpful to ensure that smaller institutions are not held to the same administrative standards as large universities with dedicated compliance departments. Lastly, a delayed implementation date with phased implementation to allow institutions time to adjust and develop effective policies would be extremely helpful.

MICUA supports the overarching goals of SB 847 and commends the sponsor's commitment to fostering inclusive learning environments. However, MICUA urges lawmakers to consider targeted support for smaller colleges, funding parity for private institutions, and clearer guidance on free speech protections to ensure that compliance does not come at the expense of student access, academic excellence, or constitutional rights.