

KNOW YOUR RIGHTS



A GUIDE TO UNDERSTANDING AND PROTECTING YOUR RIGHTS



A joint project produced by
Maryland Commission on Civil Rights and
Maryland Office of the Attorney General Civil
Rights Division



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KNOW YOUR RIGHTS Housing Discrimination



What is Housing Discrimination?

Federal and State laws protect people from discrimination while seeking to rent, buy, or get a loan for a home. It is illegal to treat someone unfairly because of personal characteristics like race, gender identity or national origin.

What are the Protected Categories?

Federal Law:

- Race
- Color
- Religion
- Sex
- Familial Status
- National Origin
- Disability

State Law:

The same protected categories under Federal law as well as...

- Sexual Orientation
- Marital Status
- Gender Identity
- Source of Income
- Military Status

Who must Comply with the Law?

- Individual Landlords (exceptions)
- Loan officers
- Maintenance workers
- Real estate agents/agencies
- Banks and mortgage companies
- Building or property managers
- Others involved in the sale or rental of homes

What does Discrimination Look Like?

- You are discouraged from applying for an apartment or a loan even though you qualify financially due to your membership in a protected class
- A housing provider charges an additional fee for your assistance animal or requires that you provide certification to show it had training
- When viewing a property, the building's agent tells you that families with children may only live in specific units and ignores your stated preferences
- Your landlord makes repeated comments about your appearance and asks you to engage in sex acts with them
- A maintenance worker makes insulting comments about you or your neighbors based on your or their membership in a protected class

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KNOW YOUR RIGHTS Housing Discrimination

What is Housing Discrimination?

Federal and State laws protect people from discrimination while seeking to rent, buy, or get a loan for a home. It is illegal to treat someone unfairly because of personal characteristics like race, color, religion, sex, familial status, disability, national origin, marital status, gender identity, military status, sexual orientation, and source income.



Source of Income Discrimination



If a housing provider denies you access to housing based on the type of legal income you receive, they are violating Maryland's Housing Opportunities Made Equal (HOME) Act. Lawful sources of income can include:

- Housing Vouchers
- Social Security or Disability Benefits
- Veterans' Benefits
- Alimony or Child Support
- Other forms of Public Assistance

It is Illegal for a Housing Provider to...

Refuse to Rent:

Landlords cannot deny you housing because of your income source.

Charge Additional Fees:

They cannot charge you extra rent or fees because of your income source.

Restrict Housing Options:

You cannot be limited to specific units or floors in a building because of your income source.

Set Different Terms:

Landlords cannot impose different lease conditions or deny you amenities, such as access to common areas, fitness centers, or parking, because of your income source.

Deny Services:

All tenants must have access to the same repairs and services, regardless of their income source.

Exclude from Offers:

You cannot be excluded from advertised perks or amenities because of your income source.

Have You Heard?

- "We don't accept Section 8 here"
- "Voucher holders live in **these** units"
- "You need a job for this apartment."
- "Public assistance isn't reliable"
- "There are different rental rates for voucher holders"
- "Alimony or child support isn't an acceptable form of income"

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KNOW YOUR RIGHTS **Housing Discrimination**

What is Housing Discrimination?

Federal and State laws protect people from discrimination while seeking to rent, buy, or get a loan for a home. It is illegal to treat someone unfairly because of personal characteristics like race, color, religion, familial status, disability, national origin, marital status, gender identity, military status, sexual orientation, source income, and sex.



Sexual Harassment in Housing



Sexual harassment is a form of gender discrimination. Everyone has a right to be free from sexual harassment and gender discrimination from individuals who may be in control of their housing.

It is Unlawful Discrimination for a Landlord, Property Manager, or Anyone with Control over Your Housing to:



- Request or demand sex in exchange for sex
- Offer lower rent in exchange for sexual favors
- Make repeated unwelcome comments of a sexual nature
- Evict a tenant, raise their rent, refuse to make repairs or take other retaliatory action for refusing sexual advances
- Comment on how your body looks
- Show you sexually explicit photos or videos
- Ask for sexual photos of you
- Subject a tenant to unwelcome sexual touching
- Disqualify a potential tenant or take other retaliatory action for refusing sexual advances
- Fail to protect tenants from known sexual harassment by a maintenance worker or another employee

Who is Protected?

Any tenant or potential tenant who is subjected to unwelcome sexual conduct by their housing provider. A person may face illegal sexual harassment based on their gender, gender identity, and/or sexual orientation.



KNOW YOUR RIGHTS Housing Discrimination

What is Housing Discrimination?

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Familial Status Discrimination



Discrimination based on family status occurs when landlords or housing providers treat you unfairly because you have children under 18 living with you, are pregnant, or are in the process of securing custody of a child. Maryland law also protects marital status. There is an exception for buildings and communities that serve as housing for seniors.

It is Illegal for a Housing Provider to...

Refuse to Rent:

Landlords cannot deny you housing because you have children or are expecting a child.

Charge Additional Fees:

They cannot charge you higher rent or extra fees because you have children.

Restrict Housing Options:

You cannot be limited to specific units or areas in a building because you have children.

Set Different Terms:

Landlords cannot impose different lease conditions or deny you amenities, such as access to common areas or play areas, because of your familial status.

Deny Services:

All tenants must have access to the same repairs and services, regardless of whether they have children.

Exclude from Offers:

You cannot be excluded from advertised perks or amenities because of your familial status.

Have You Heard?

- “We don’t rent to families with kids.”
- “This unit is for single occupancy.”
- “Children aren’t allowed in this area of the complex.”
- “We only offer ground-floor units to families with children due to the noise they cause.”
- “An extra deposit for kids is needed.”

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KNOW YOUR RIGHTS Housing Discrimination

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Discrimination Against People with Records



In some cases, it may be considered unlawful discrimination to deny housing to someone solely because they have been arrested or convicted of a crime. A ban that denies a person who has been arrested or convicted will more often exclude Persons of Color due to disparities in the criminal justice system. This is sometimes called “disparate impact.” A landlord’s practice may violate the law even if the landlord did not intend to discriminate.



Can Someone Ask About a Conviction on a Housing Application?

Generally, yes. Some local jurisdictions, like Montgomery County, have different regulations.



Does the Landlord Have to Consider Rehabilitation?

Yes. If a landlord refuses to rent because of an arrest or conviction, the landlord must give the person applying to rent a chance to explain any special circumstances or offer evidence of rehabilitation.



Do these Rules Apply to All Landlords?

No. There are exceptions to some landlords. For example, landlords that have fewer than five units and the landlord lives on the property are exempt from certain provisions under federal law.

Signs Discrimination May be Taking Place:

- A landlord automatically rejects any applications of potential renters who have marked “yes” to having a felony conviction.
- A landlord advertises “no felony convictions” or “clean criminal record only.”
- A landlord refuses to accept a rental application after learning of an arrest or conviction record.
- A landlord refuses to rent to a tenant because they were in prison for drug possessions 25 years ago even though they have had no legal issues since then

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What is Housing Discrimination?

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Disability Discrimination in Housing

Owners of rental housing must make reasonable changes to policies or to their property to allow persons with disabilities to have equal access to housing opportunities. Homeowner associations and local or municipal governments may also be required to make reasonable changes to their policies or rules for persons with disabilities.

Reasonable Accommodations in Housing



A reasonable accommodation is a change in rules, policies, practices, or services to provide a person with a disability equal opportunity to use and enjoy their housing or a common space.

Reasonable Modifications in Housing



A reasonable modification is an alteration or structural change to a unit, common area, or public area. Modifications improve the functionality of the space for a person with a disability.

Examples of Reasonable Accommodations or Modifications:



- Adding a reserved accessible parking space be designated near your unit or home
- Allowing assistance animals in a “No Pets” property
- Providing a rental or loan application in an accessible format
- Installing a ramp or grab bars to a housing unit

How to Request Reasonable Accommodations

When: A reasonable accommodation or modification request can be made at any time during the application process or tenancy.

Who: A request can be made by the person with a disability or by someone else on their behalf. The request can be made to the property owner or anyone who works for them.

How: The request can be made verbally or in writing. A written request is recommended.

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Employment Discrimination



What is Employment Discrimination?

Employment discrimination is when an employer treats an employee or job applicant unfairly or less favorably because of their protected class.

What are the Protected Categories?

- Race, including race-based hair discrimination
- Color
- Religion
- Sex
- National Origin or Ancestry
- Disability
- Sexual Orientation
- Marital Status
- Gender Identity
- Age

Who is Protected from Employment Discrimination?

- Applicants, employees, contractors, and former employees are protected from employment discrimination.
- Applicants, employees, and former employees are also protected from retaliation for filing a charge or complaint of discrimination, participating in a discrimination investigation lawsuit, or opposing discrimination.

Who must Comply with the Law?

While these laws generally apply to most employers, there are some employers who are exempt from following the rules. For example:

- Employers with less than 15 employees do not have to follow certain rules, but: employers with at least one employee must provide equal pay for equal work to male and female employees and cannot harass employees
- Employers with at least four employees cannot discriminate based on national origin
- Religious institutions do not have to follow some rules for employees who play a leadership or teaching role in the institution

What Parts of Employment are Covered Under the Law?

- Hiring and Firing
- Compensation, assignment, or classification of an employee
- Pay or retirement plans
- Transfer or promotion
- Disability leave
- Union Memberships
- Job advertisements
- Recruitment and Testing
- Use of company facilities
- Training and apprenticeship programs
- Fringe benefits
- Internships

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Employment Discrimination

When does Employment Discrimination Occur?

Employment discrimination can occur during a job application or interview process, once someone is actively employed, or after an employee has been terminated or voluntarily left a job.



What does Discrimination Look Like?

- ! You are asked inappropriate and uncomfortable questions during a job interview related to one of the protected categories
- ! Despite being qualified and receiving positive performance evaluations, you are overlooked for a promotion or advancement opportunity
- ! A coworker who has the same position title and years of experience as you receives a higher rate of compensation
- ! The company employing you maintains an employment policy or policies that disproportionately affects applicants or employees of a protected class
- ! An employer or agent of said employer takes unjust disciplinary actions against employees that would not apply to an employee of a different class
- ! Offensive jokes, slurs, name-calling, ridicule, epithets, threats, intimidation, or other forms of harassment are directed at you based on your protected class

Sexual Harassment in the Workplace

My employer is making repeated comments about my appearance and has suggested taking me out on a date, despite my discomfort. Is this against the law?



- Yes, sexual harassment in the workplace is considered a form of sex discrimination and is against the law. Sexual harassment protections apply even if there is only one employee and employer, and there is no exception for employers with less than 15 employees.
- Additionally, The Pregnancy Act of 1978 protects against discrimination on the basis of pregnancy, childbirth, or related medical conditions

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Employment Discrimination

When does Employment Discrimination Occur?

Employment discrimination can occur during a job application or interview process, once someone is actively employed, or after an employee has been terminated or voluntarily left a job.



Discrimination Against Returning People with Records

In some cases, the refusal to hire someone because they have been arrested or convicted of a crime may be unlawful discrimination.

If an employer's practice denies employment to people of one race more often than others it may violate civil rights laws. A ban on hiring a person with an arrest or conviction will more often exclude Persons of Color because of disparities in the criminal justice system. This is sometimes called "disparate impact." An employer's practice may violate the law even if the employer did not intend to discriminate.

Can an Employer Refuse to Hire Someone?

An employer may refuse to hire someone who has been arrested or convicted if there is a legitimate business reason to do so. Legitimate business reasons may include whether the arrest or conviction relates to the qualification for the job, the age of the conviction, or other individual circumstances.

Can an Employer Ask About a Conviction on a Job Application?



Usually, no. Under Maryland law, employers with 15 or more employees cannot ask about an applicant's conviction record before the first in-person interview. Except for:

- Jobs that care for minors or vulnerable adults
- Jobs that require inquiries under other state or federal law

Signs Discrimination May be Taking Place:

- A job posting says "no felons."
- The job application asks about convictions
- An employer ends a job interview immediately upon learning of a conviction
- Employers require a background check before offering an interview
- There is no process available to explain individual circumstances



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Employment Discrimination

What is Employment Discrimination Based on Disability?



In Maryland, it is illegal to discriminate against a person with a disability in the workplace. This includes refusing to hire, firing, demoting, or denying promotions or training because of a disability, a history of disability, or a belief that someone has a disability. The law also protects workers who are associated with a person who has a disability. Discrimination can also include harassment or failing to provide reasonable accommodations.

Who must Comply with the Law?

- Private employers with 15 or more employees
- State and local governments
- Labor organizations



Reasonable Accommodations in the Workplace

A reasonable accommodation is a change to the work environment, job duties, schedule, or hiring process that helps a qualified person with a disability apply for a job, perform essential job functions, or access benefits of employment.

Examples of Discrimination

- Refusing a flexible schedule for a worker who needs medical treatment
- Refusing to provide assistive technology such as screen-reading software
- Refusing to interview a qualified applicant after learning they have a disability

How to Request an Accommodation

When: A reasonable accommodation request can be made at any point during the hiring process or while employed.

Who: The request can be made by the employee with a disability or by someone else on their behalf.

How: The request can be made verbally or in writing. A written request is recommended.

Examples of Reasonable Accommodations:

- Allowing a part-time or modified work schedule
- Providing accessible parking to an employee
- Changing their “no animals” policy in order to permit an employee’s service animal
- Purchasing software or other equipment to make the computer screen accessible to an employee with low vision
- Giving feedback in writing, rather than verbally

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KNOW YOUR RIGHTS **Disability Rights**

What is Discrimination Based on Disability?

In Maryland, it is illegal to discriminate against someone with a disability in the workplace, in housing, at school, in public places, and in government services and programs. This includes treating someone unfairly because they have a disability, had one in the past, or are believed to have one — even if they don't.



How is Disability Defined Under the Law?

A disability is any physical or mental condition that substantially limits one or more major life activities.

What is a Major Life Activity?

Major life activities include everyday tasks and bodily functions essential to daily life. Examples of major life activities are walking, breathing, seeing, hearing, eating, sleeping, standing, lifting, reading, concentrating, and working. If any of these activities are difficult due to a physical or mental condition, that condition may be considered a disability under the law. Disabilities can be both visible or invisible, meaning that it is not always immediately apparent to others whether someone has a disability. All types of disability, visible and invisible, are equally protected under law.

Who must Comply with the Law?

- Employers with 15+ employees
- Landlords, property managers, and other housing providers
- State and local governments
- Health services providers
- Schools or educational institutions
- Transportation services
- Businesses open to the public such as stores, restaurants, and hotels
- Public spaces and establishments

What does Discrimination Look Like?

- An employer refuses to hire a qualified candidate because the individual uses a wheelchair
- A restaurant or store denies entry or service to someone because they have a service dog assisting them
- A landlord sets unfair terms, or refuses to rent an apartment, to a person with a mental health disability
- A school or educational program excludes a child with a disability from the classroom and fails to provide necessary accommodations
- Coworkers or supervisors harass someone due to their disability, creating a hostile environment

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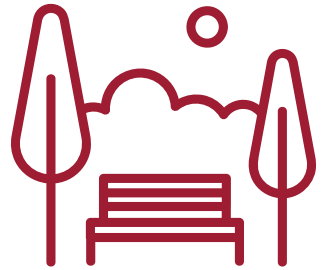


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KNOW YOUR RIGHTS Public Accommodations

What is Discrimination in Public Accommodations?

The owner, operator, or employee of certain public places cannot treat people unfairly because of their personal characteristics, like race, gender identity, or disability. This means they cannot refuse entry and must provide equal access to the services or benefits the public place provides.



What are the Protected Categories?

- Race
- Sex
- Disability
- Gender Identity
- Color
- Familial Status
- Sexual Orientation
- Creed
- Religion
- National Origin
- Marital Status
- Age

Examples of Settings Where this Law Applies:

- Restaurants
- Hotels
- Theaters
- Bus and Transportation
- Government Facilities
- Recreation Centers
- Hospitals and Medical Institutions
- Retail Establishments
- Office Buildings and Commercial Establishments
- Sidewalks, Parking Lots, and other Public Surfaces
- Museums, Amusement Parks, and other Public Attractions

There are more settings where this law applies. Notably, there are a few exceptions which includes:



Private Clubs and Organizations, such as Fraternal Organizations

Religious Institutions

What does Discrimination Look Like?

- ! You are refused a service or entrance into a facility, including a public restroom, because of your protected category
- ! You are unable to access the entrance or exit of a facility due to your disability
- ! Due to your membership in one or more protected categories, you are subjected to different terms or conditions for services or facilities.
- ! The owner or operator of the public accommodation has failed to provide customers with adequate accessible parking spaces.

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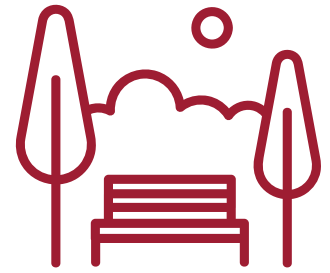
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Public Accommodations

What is Discrimination Based on Disability in Public Accommodations?

In Maryland, it is illegal to discriminate against a person with a disability in public accommodations. This includes refusing service, denying access, or failing to provide equal treatment because of a disability, a history of disability, or a belief that someone has a disability. Public accommodations are places open to the public, like stores, restaurants, theaters, hotels, medical offices, and recreational facilities.



Who Must Comply with the Law?

Businesses and nonprofit organizations that serve the public—like retail stores, restaurants, museums, transportation providers, and health care facilities—must follow disability rights laws. They must ensure their spaces and services are accessible and must make reasonable changes to ensure people with disabilities have appropriate access. This includes removing physical barriers when possible and allowing auxiliary aids like interpreters or assistive technology.

Effective Communication

People with vision, hearing, or speech disabilities have the right to receive information in ways they understand. This is called effective communication.



Covered entities, like businesses, schools, or government offices, may need to provide things like:

- Sign language interpreters
- Large print or Braille materials
- Written or typed communication instead of spoken instructions
- Captioning for videos or public presentations

This support must be provided unless it would cause an undue burden by being too difficult or expensive.

What does Discrimination Look Like?

- Refusing entrance to a service animal in a store or restaurant
- Refusing to serve someone because they use a wheelchair
- Designing a space that cannot be accessed with mobility devices
- Denying someone entry because of how they communicate or move

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Health Services



What is Health Services Discrimination?

Federal and state laws make it illegal to refuse services or provide people with lower quality healthcare because of their personal characteristics, such as race, disability, sex, gender identity, or national origin.

What are the Protected Categories?

Federal Law:

- Race
- Color
- National Origin
- Sex
- Age
- Disability

State Law:

The same protected categories under Federal law as well as...

- Religion
- Marital Status
- Sexual Orientation
- Gender Identity



Who must Comply with the Law?

Any provider of health care services including, but not limited to...

- State and local government agencies
- Schools and education institutions
- Healthcare contractors and vendors
- Doctors' and dentists' offices
- Hospitals and medical institutions
- Health insurers
- Pharmacies

What does Health Services Discrimination Look Like?

- ! A medical office refusing to treat you because of your national origin, gender identity, or other protected category.
- ! A doctor or nurse making treatment decisions based on racial biases or stereotypes and providing a lower quality care to people of color
- ! A healthcare provider failing to provide the reasonable accommodations necessary for a person with disabilities to receive the same level of care
- ! A medical officer requiring a person to disclose their immigration status in order to receive health care
- ! Medical staff providing inadequate care to patients with intellectual or developmental disabilities by making assumptions about their ability to make medical decisions

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Health Services



What is Health Services Discrimination?

Federal and state laws make it illegal to refuse services or provide people with lower quality healthcare because of their personal characteristics, such as race, disability, sex, gender identity, or national origin.

Discrimination in Health Services based on Disability

Health care providers must provide full and equal access to services and care for people with disabilities. This means that providers must:

- Make reasonable modifications, or changes in rules, policies, practices, or procedures to provide a person with a disability full and equal access to health services
- Ensure that communication is as effective with people with disabilities as it is with other patients
- Make sure their facilities are accessible to people with disabilities

Examples of Reasonable Modifications in Health Care

- Allowing a service dog to be present in an exam room
- Allowing a companion to assist a person with a mobility disability

Examples of Accessible Health Care Facilities

- Accessible parking spaces and entry
- Accessible examination rooms, imaging machines, and patient lifts with limited exceptions
- Wheelchair accessible bathrooms with clear turning space, grab bars, and accessible sinks



Examples of Effective Communication

- Providing a qualified sign language interpreter for a non-emergency appointment for a person who is deaf and uses sign language.
- Providing patients who are blind or low vision with accessible prescription labels at no additional cost.

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Immigration Status

What is Discrimination based on National Origin or Immigration Status?

Discrimination based on national origin involves unjust or prejudicial treatment based on someone's birthplace, ethnicity, or ancestry, or perceptions about someone's national origin. It can also include unfair treatment based on someone's perceived immigration or citizenship status or someone's language. National origin discrimination can occur in various forms, including barriers to equal access to housing, employment, healthcare, and interactions with law enforcement.



Who must Comply with the Law?

- Landlords, building or property managers, lenders, real estate agents, and other housing providers
- Healthcare facilities
- Employers with four or more employees
- State and local law enforcement, with exceptions
- Schools



Exposing a Person's Immigration Status

Threatening to expose a person's immigration status in an attempt to extort money, property, or other good and services is a crime in the State of Maryland.

What Does Discrimination Look Like?

- Unfair documentary practices during the employment eligibility verification process
- Denying health insurance to someone because they are married to someone who has a green card
- Making jokes or other derogatory comments regarding someone's immigration status
- Advertising on your job or housing application that there is a "citizens only" or "English only" rule

Find More Resources

Scan the QR Code to access more information on legal rights, assistance programs, and key services available to immigrant communities in Maryland.



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Immigration Status

What is Discrimination based on National Origin?

Discrimination based on national origin, involves unjust or prejudicial treatment based on someone's birthplace, ethnicity, or ancestry, or perceptions about someone's national origin. It can also include unfair treatment based on someone's perceived immigration or citizenship status or someone's language. National origin discrimination can occur in various forms, including barriers to equal access to housing, employment, healthcare, and interactions with law enforcement.



Discrimination in Housing



Landlords, property management companies, lenders, home sellers, and other housing providers cannot refuse to rent, provide a mortgage, or sell a dwelling to any qualified buyer or renter based on national origin



Housing providers cannot charge different rents, fees, or require a more extensive application process based on someone's national origin.



It is illegal to attempt to steer persons into or away from neighborhoods or apartment complexes on the basis of their national origin.



A housing provider may violate Maryland's anti-discrimination laws and criminal laws by attempting to obtain money from a person by threatening to notify law enforcement officials about their undocumented or illegal immigration status.



Exposing a Person's Immigration Status

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Immigration Status

What is Discrimination based on National Origin?

Discrimination based on national origin, involves unjust or prejudicial treatment based on someone's birthplace, ethnicity, or ancestry, or perceptions about someone's national origin. It can also include unfair treatment based on someone's perceived immigration or citizenship status or someone's language. National origin discrimination can occur in various forms, including barriers to equal access to housing, employment, healthcare, and interactions with law enforcement.



Discrimination in Employment

Immigrant workers with work authorization in the United States have the same rights as other workers, including the right to be treated without discrimination and to work in a safe environment.



Immigrant workers without work authorization still have certain legal protections at work, including the right to earn at least the minimum wage and protection from wage theft.



Employers cannot discriminate in recruiting, interviewing, hiring, or discharging based on nationality.



Employers cannot discriminate in job referrals, ask discriminatory questions, or circulate information that unlawfully limits employment.



Employers cannot pay immigrant workers with work authorization less than other workers.



Employers cannot threaten workers with calling the police or immigration enforcement because of their immigration status.



Exposing a Person's Immigration Status

Threatening to expose a person's immigration status in an attempt to extort money, property, or other good and services is a crime in the State of Maryland.

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Immigration Status

Interactions with Law Enforcement

Local law enforcement and ICE (Immigration and Customs Enforcement) have different authorities and responsibilities, but they often collaborate in enforcing immigration laws. Local law enforcement primarily enforces state and local laws, while ICE enforces federal immigration laws. They can cooperate through formal agreements including the 287(g) program, which allows local officers to perform immigration enforcement duties.



Local Law Enforcement

Primary Focus: Enforces state and local laws, including traffic violations, property crimes, etc.

Authority: Derives authority from state and local laws.

Collaboration with ICE: Can choose to cooperate with ICE through programs like 287(g) or by complying with ICE detainers.

Warrants



ICE warrants, also known as administrative warrants, differ significantly from judicial warrants. ICE or other DHS officials issue ICE warrants for immigration violations, which are civil matters and do not require judicial approval. Judicial warrants, on the other hand, are issued by a judge and are necessary for law enforcement to enter your home or search your belongings, even in criminal cases.

Judicial Warrants

Issued by: A judge or magistrate.

Purpose: To authorize a search, seizure, or arrest based on probable cause of a crime.

Validity: A valid judicial warrant is needed for law enforcement to enter a home or search private property.

Local Law Enforcement: Local law enforcement must comply with a valid judicial warrant.

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Immigration Status

Interactions with Law Enforcement

The enforcement of immigration laws is the responsibility of the federal government, not local law enforcement. Maryland law and the United States Constitution place limits on state and local police officers, including:



- Police officers cannot ask about a person's immigration status during a regular police stop, interview, investigation or other function unless it is relevant to a crime that officer is investigating.
- Police officers may not extend a stop or detention to investigate a person's immigration status or based on the suspicion that the individual has committed a civil immigration violation.
- Police officers may not share personal information about a person who has been detained, including their name and address, with federal immigration officials for purposes of immigration enforcement unless a judge has signed a warrant.
- Local police may not hold someone if they have a civil immigration warrant. Only a warrant signed by a judge can be used to detain a person for an immigration violation.
- Federal, state, or local police officers must have a warrant signed by the judge or your permission to enter your home to conduct a search or to search your belongings.



Some jurisdictions have entered into contracts with federal immigration officials to enforce federal immigration laws. In these jurisdictions, local police officers might be “deputized” to act as ICE agents. Maryland law **does not** prohibit local jurisdictions from entering into these agreements.

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Immigration Status

What is Discrimination based on Immigration Status?

Discrimination against immigrants involves unjust or prejudicial treatment based on someone's national origin or perceived foreign status and can occur during interactions with housing providers, employers, police, healthcare providers.



Know Your Rights in School

- All children have a right to equal access to a free public education, regardless of the immigration status of the child or their parent/guardian.
- At the time of registration, schools may not ask questions related to a parent or student's immigration status nor request a social security number.
- While schools may require proof of residency within the district, information about citizenship or immigration status is never needed for school enrollment.
- Federal and state laws protect education records and personal information. These laws generally require written consent from parents/guardians before releasing information unless it is for educational purposes, otherwise authorized by law, or in response to a court order or subpoena.
- Students, parents, and guardians have the right to report a hate crime or file a complaint to the school district or the State Superintendent if they or their child has been discriminated against based on national origin.

Interactions with Healthcare Providers

- Medicare participating hospitals must provide emergency care to all patients, regardless of their immigration status.
- Healthcare providers are not legally obligated to disclose a patient's immigration status to authorities and should not do so unless required by a court order or subpoena.
- If a patient or anyone else in a healthcare facility has an encounter with an ICE agent, the individual has the right to refuse to answer questions until they have a chance to speak to a lawyer. Additionally, an individual can refuse to share any information about where they were born or how they entered the country. An individual may choose not to speak at all.

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Language Access

What is Language Access to Government Services?

All Marylanders have a right to equal access to government services even if they do not speak English. This includes the right to know what government services are available and to get the benefits of those services.



Who can get Language Access?

If you cannot properly understand or express yourself in written or spoken English you are entitled to language assistance. You can get help even if you know some English, but do not understand everything that is being said or that is written on a document. If you do not understand what is said or written because English is not your first language, you should ask for help.

Who must Provide Language Access?

State agencies must take reasonable steps to ensure that people who do not speak English or do not speak English well are helped. A person with limited English should get the same benefits as an English speaker.

How are Language Access Services Provided?

If you do not speak English well enough to communicate with a government agency, you can get the following:

- **On the phone or in person:** If you call or go to a government office, you have a right to speak to a person who speaks your language or to a worker through an interpreter. The interpreter may be on the phone which is sometimes called “language line,” a bilingual employee, or an in-person interpreter.
- **Papers or Documents:** State agencies must have forms, information, notices, and other documents that are regularly used in languages commonly spoken in Maryland. A language is commonly spoken if more than 3% of the people who interact with an agency speak the language. An agency may be required to translate documents even if there are only a few people who speak the language if it is necessary for you to have equal access to services or benefits.
- **Webpages:** Government agencies have a lot of information on webpages. Government agencies must translate their webpages or have a link to a free program that will translate the page for people who do not speak English.

These rules apply to most State services. Some services related to professional licenses and certain business regulations are not covered by these rules.

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Language Access

What is Language Access to Government Services?

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Do Courts have to Provide Language Access?

Maryland courts will provide interpreters. You must request an interpreter 30 days before your case is in court. Each court has a language access coordinator. A list of coordinators is at: <https://secure.scheduleinterpreter.com/marylandcourts/cgi-bin/reports.cgi?action=publicListingStaff>. The court has translated certain instructions and forms into five languages. You can access them at [Español](#); [français](#); [русский](#); [한국어](#) and [中文](#).

Do Local Agencies have to Provide Language Access?

There are 23 Maryland counties and Baltimore City. Each county will have its own requirements for language assistance.

Can ICE be called if I ask for Language Help?

Police officers are not allowed to ask about your immigration status unless relevant to a criminal investigation. Other state agencies may be required to ask about immigration to know if you can receive a benefit. Under federal law, state employees can share the information with ICE. If you are uncertain whether you can use a benefit because of your immigration status, you should talk to a lawyer.

What do I do if I Cannot get Language Help?

If you are having trouble accessing the available language services, you may:

- Ask to speak to a language access coordinator. Most agencies have a language access coordinator.
- Speak to a legal aid or immigration legal services program.
- File a complaint with your local human rights agency or with the Maryland Commission on Civil Rights or the Office of the Attorney General Civil Rights Division

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KNOW YOUR RIGHTS LGBTQIA+

What are the Legal Protections for the LGBTQIA+ Community?

Discrimination against LGBTQIA+ individuals on the basis of their sexual orientation and/or gender identity is prohibited under state and some federal law. Civil rights laws protect LGBTQIA+ individuals from discrimination in many areas of life, including:



- **Employment** – Maryland law prohibits employment discrimination based on sexual orientation and gender identity
- **Education** – Maryland law protects all students of public schools or most state-funded private schools from discrimination on the basis of their sexual orientation and/or gender identity.
- **Housing** – Housing providers may not discriminate against LGBTQIA+ tenants or homebuyers
- **Hate Crimes** – Gender identity and sexual orientation are both protected classes under Maryland's Hate Crimes Law; please see the Hate Crimes section for further details

What Legal Protections Exist for LGBTQIA+ Healthcare Providers?

Maryland law provides certain protections to health care providers who provide gender-affirming care to out-of-state patients by 'shielding' them from out of state subpoenas and investigations regarding their provision of gender-affirming care, so long as the care provided was lawful within the State of Maryland.

Find More Resources

Scan the QR Code to access more information on LGBTQIA+ protections available under Maryland law



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Schools

What is Discrimination Based on Disability in Education?

In Maryland, it is illegal to discriminate against students with disabilities in public and private schools, colleges, and universities that receive public funds. This includes denying enrollment, access to programs, or services based on a disability, a history of disability, or a belief that a student has a disability. It also includes failing to provide reasonable accommodations or supports that allow students with disabilities to learn and participate equally.



Who Must Comply with the Law?

Public schools (K–12), charter schools, public colleges and universities, and any school receiving federal funding must follow disability rights laws like Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA). Private schools that receive federal funding are also covered. These laws require schools to ensure equal access to education and provide reasonable accommodations or supports to students unless it would create an undue burden or fundamental change to the program.

What are My Rights Under the Law?

Students with disabilities have the right to equal access to academic programs, extracurriculars, and services. This may include changes in how lessons are taught, accessible materials, extra time on tests, or assistive technology. Some students may also qualify for special education services under the Individuals with Disabilities Education Act (IDEA).

What About Colleges and Universities?

Colleges and universities must also provide reasonable accommodations to students with disabilities. These may include sign language interpreters, accessible housing, extra time on exams, or course materials in large print or electronic formats. Students typically must register with the campus disability services office to receive accommodations.

Examples of Discrimination



- Denying admission to a student because they have a disability
- Refusing to provide a sign language interpreter or captioning in class
- Not allowing extra time on tests for a student with a documented learning disability
- Failing to provide digital versions of textbooks to a blind student
- Ignoring a student's request for necessary assistive technology
- Harassing or isolating a student because of their disability

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Schools

What are Students' Rights and Protections in Maryland?



In Maryland, every student has the right to attend school without being bullied, harassed, or intimidated. State law requires all public schools to take steps to prevent bullying and to act quickly when it happens. Each school system must have written policies, train staff, and provide a clear way for students and families to report bullying.

What is Bullying under Maryland Law?

Bullying is any behavior that:

- Hurts someone physically or emotionally
- Happens more than once
- Creates a hostile school environment or interferes with a student's ability to learn
- Takes place at school, on the bus, during school activities, or online



This includes name-calling, threats, spreading rumors, purposely excluding someone from school activities, and cyberbullying.

What is Cyberbullying?

Cyberbullying occurs online or through electronic devices like phones, tablets, or computers. It can include sending mean messages, spreading rumors on social media, posting embarrassing photos or videos, or creating fake profiles to harass someone. In Maryland, cyberbullying is taken seriously—schools must act if it affects a student's well-being or ability to learn, even if it happens off campus.

Who Must Comply with the Law?

All Maryland public schools, including charter schools, must follow state anti-bullying laws. School staff—including teachers, principals, counselors, and bus drivers—are required to take bullying seriously and respond appropriately.

How to Report Bullying

- Tell an adult at school—like a teacher, counselor, or administrator
- Fill out your school's bullying report form (available online or in the school office)
- Keep records of what happened, when, and who was involved
- Parents can also file a report and ask for a meeting with school staff
- The school must investigate and take steps to keep students safe
- If the school doesn't take appropriate action, you may also contact the Maryland State Department of Education

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Schools

What Legal Protections Are in Place for the Privacy of School Records?

Students and their families have a legal right to keep their education records private. In Maryland, student records are protected by federal law and by state laws that limit who can see or share student information without permission.

Who Can Access a Student's Records?

- **Parents or Legal Guardians** of students under 18 have the right to access their child's records
- **Students over 18** (or those who attend post secondary institutions) hold these rights themselves
- **School staff** can only access student records if they need the information to their job
- Other people, like outside agencies or law enforcement, **generally need written permission** from a parent or eligible student to see records



Are My Records Confidential?

Yes. Your school must keep student records secure and confidential. This includes grades, discipline reports, Individualized Education Programs (IEPs), health records kept by the school, and other personally identifying information. Schools must protect this information and can't share it without consent—unless a specific legal exception applies.

What if Records are Inaccurate?

Families have the right to:

- Ask the school to fix incorrect or misleading information
- Request a formal hearing if the school refuses to make the correction
- Add a written statement to the record explaining the disagreement



Examples of Violations

- Sharing a student's grades or disability status without consent
- Posting student information publicly
- Giving access to records to someone who doesn't have a legitimate educational reason

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Schools

What Legal Protections Are in Place for the Privacy of School Records in Higher Education?

The **Family Educational Rights and Privacy Act (FERPA)** is a federal law that protects the privacy of student education records at colleges, universities, and other postsecondary institutions. It gives students the right to control who can see their records and to request changes if information is wrong or misleading.

Who Can Access a Student's Records?

Once a student turns 18 or attends a school beyond high school, they—not their parents—have control over their education records. Schools must have written permission from the student to share records with anyone, including parents, unless a legal exception applies, such as a health or safety emergency.



Are My Records Confidential?

Yes. Your school must protect your personal and academic information. Education records include transcripts, class schedules, financial aid records, academic standing, and disciplinary records. These cannot be shared without your consent, unless the request meets a limited exception under FERPA (such as a subpoena or a school official with a legitimate need).

What if Records are Inaccurate?

You have the right to:

- Ask the school to fix or remove incorrect or misleading information
- Request a hearing if the school refuses to make the change
- Add a written explanation to your records if the school denies your request



Examples of FERPA Violations

- A professor discloses your grades publicly or over email to other students
- A college shares your transcript with your parents without your written consent
- A staff member discusses your academic or disciplinary status with someone not authorized to know

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Schools

What is the Freedom to Read Law?

Maryland law protects the right of students to access diverse books and materials in public schools and libraries. Schools cannot ban books just because someone disagrees with their ideas, topics, or characters. The law supports the idea that students should be free to explore information, think critically, and read books that reflect a wide range of voices and experiences.

What is Protected?

- **Students and families** have the right to access age-appropriate, inclusive materials in schools
- **Teachers and librarians** are protected when they share a broad selection of educational and literary materials



What are My Rights as a Student or Parent?

- Students have the right to read and learn from a variety of sources
- Parents can request alternate materials for their child—but they cannot remove books for all students
- Families have the right to be informed about the school's library and materials selection process

Can Books be Banned from Schools?

Books cannot be removed because they include topics like race, gender identity, sexual orientation, or other viewpoints. Books can only be removed for educational reasons—not because of personal beliefs or disagreements with the book's message. Schools must follow a fair and consistent process when reviewing challenged materials. This includes involving educators, administrators, and sometimes community members—not just a single person or complaint.

What is the Review Process?

Each school district in Maryland must have a formal process for reviewing books or materials if someone challenges them. This process must:



- Be transparent and fair
- Consider the book's educational value
- Include input from educators and the community
- Avoid removing materials based on personal or political views alone

In most Maryland school systems, books remain available to students while under review. The school may offer an alternative assignment to any student whose parent objects, but the book is not removed from the shelves for everyone unless and until a final decision is made through the district's review process.

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Schools

What Legal Protections Exist for LGBTQIA+ Students in Maryland Schools?



Maryland law protects all students of public schools or most state-funded private schools from discrimination on the basis of their sexual orientation and/or gender identity. Students have the right to be themselves at school without facing discrimination, harassment, or bullying based on their sexual orientation, gender identity, or gender expression. Public schools must ensure a safe, supportive environment for learning for all students.

What does Discrimination Look Like for LGBTQIA+ Students?

- Denying a student the ability to dress or express themselves according to their gender identity
- Refusing to use a student's chosen name or pronouns
- Not allowing a student to participate in activities or access appropriate facilities on the basis of their gender identity
- Applying different rules or discipline because of a student's sexual orientation or gender identity

What does Bullying Look Like for LGBTQIA+ Students?

Bullying can include name-calling, threats, exclusion, physical aggression, or spreading rumors related to a student's gender identity or sexual orientation. It may also include online harassment or targeting students for being perceived as LGBTQIA+.

Who Must Comply with the Law?

All Maryland public schools and most state-funded private schools are required to follow state anti-discrimination and anti-bullying laws.

Find More Resources

Scan the QR Code to access more information on LGBTQIA+ protections available under Maryland law



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Hate and Bias

What is a Hate Crime?

A hate crime is a crime or threat to commit a crime motivated by another person or group's person characteristic or group membership. This can include assaulting or injuring someone because of their perceived identity; threatening or actually damaging or destroying real property because of a personal characteristic or group membership, including property that is publicly or privately owned; or obstructing others from exercising their religious beliefs by force or threat of force.

A hate crime can also be damaging or destroying property or threatening to damage or destroy religious property. Similarly, obstructing others from exercising their religious beliefs through force or threat of force is a hate crime.



Examples of Hate Crimes

- Threatening to attack a place of worship
- Assaulting or injuring someone because of their perceived identity
- Leaving hateful graffiti on someone else's private property

What is a Hate Bias Incident?

A hate bias incident is an act of hostility or aggression that: (1) is directed at a person, group of persons, private property, or public property; (2) is motivated in whole or in substantial part by another person's or group's actual or perceived protected class as listed in (2-307(b)(1)); and (3) does not constitute a crime under State or federal law.

Examples of Hate Bias Incidents

- Slurs or name calling
- Hateful literature handed out or posted in public areas, including electronically or online
- Displaying hateful material on one's own private property

Find More Resources

Scan the QR Code to access the Hate Crimes Response and Prevention Portal



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Hate and Bias

What are the Protected Classes?



- National origin
- Race
- Color
- Religious Beliefs
- Homelessness
- Gender
- Gender Identity
- Sexual Orientation
- Disability

Criminal Remedies



When an individual is charged with a crime, prosecutors may also bring charges of a hate crime. Prosecutors can bring these charges if the crime was committed against a victim or victim group in whole or substantial part because of their membership or perceived membership in a protected class. If convicted, this can lead to additional jail time, fines, and/or an educational program.

Civil Remedies



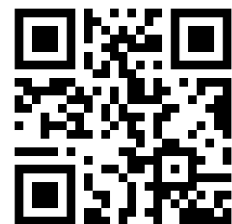
Victims may bring civil action against those who committed the crime, and the court may impose an injunction and award certain economic and non-economic damages.

Examples of Where Civil Remedies May Exist

- Harassment of Drag Queen Story Hour or other LGBTQIA+ events
- Force or threat of force to prevent Fair Housing
- Interference with the right to vote
- Some instances of Organized Hate
- Conspiracies to deprive someone of civil rights
- Force or threat of force against reproductive health care clinics or religious institutions
- Online hate and harassment

Find More Resources

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KNOW YOUR RIGHTS Hate and Bias

Who to Report Hate Crimes and Bias Incidents To

Law Enforcement:

➤ All incidents of hate, whether it rises to the level of a crime or not, should be reported to local law enforcement. When a crime is actively occurring, people should **call 911 for immediate assistance**.



➤ Tell them specifically that you think this was a hate crime or hate bias incident. If you can, tell them what led you to believe it was hate-motivated.

➤ Hate bias incidents are recorded by police even though the conduct reported may not constitute a crime under State or federal law.

Maryland Office of the Attorney General:

For additional resources, you can also contact the Maryland Office of the Attorney General. Once you report there, you will have the chance to speak with someone about what additional steps you may take after making a police report.

➤ The Office of the Attorney General does not serve as a first responder in hate incidents. If your primary intent is to report a crime for purposes of investigation and prosecution, **please call 911** or your local law enforcement's non-emergency number directly.

How to Report to the Office of the Attorney General



➤ Phone Number: 1-866-481-8361

➤ Email: stophate@oag.state.md.us

➤ Online Reporting Form: nohomeforhate.md.us

Scan the QR Code to access the Hate Crimes Response and Prevention Portal



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KNOW YOUR RIGHTS **How to File a Complaint**

Maryland Commission on Civil Rights

The Maryland Commission on Civil Rights (MCCR) works to ensure opportunities for all through the enforcement of Maryland's laws against discrimination. MCCR can investigate discrimination complaints involving government agencies and private individuals or businesses. MCCR investigates complaints of discrimination in the following areas:

- Employment Discrimination
- Discrimination in state contracts
- Housing Discrimination
- Discrimination in health services
- Public Accommodations Discrimination
- Discrimination in leasing of commercial properties

MCCR also provides training, education, and outreach services related to Maryland's anti-discrimination laws.

To learn more about MCCR's intake process, how to file a complaint, and the timelines to file a complaint, visit [Maryland Commission on Civil Rights](https://mccr.org), or scan the QR code below.

Maryland Office of the Attorney General Civil Rights Division

The Maryland Office of the Attorney General, Civil Rights Division, can bring cases to address violations of both state and federal civil rights laws. The Civil Rights Division investigates and addresses civil rights violations by non-government organizations.

Discrimination often comes from unfair policies or practices. Individuals may not have the resources to change these on their own. The Civil Rights Division can take these cases. If a civil rights violation is found, the Division can open an investigation or file a lawsuit.



Examples of cases include:

- Housing policies that exclude people of color or discriminate based on housing vouchers or past felonies
- Landlords sexually harassing tenants
- Employment practices that give women or people of color lower-paying jobs

If you believe you have experienced discrimination, you can report it to the Division by completing the [Civil Rights Complaint Form](#) on our website or by scanning the QR code below.

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Maryland Civil & Human Rights Agencies Resource Guide

