

**UNFAVORABLE**  
**School Construction – Public Charter School Facility Fund – Establishment**  
**Senate Bill 892**

**Senate Budget and Taxation Committee**  
**February 21, 2024**

**Christian Gobel**  
**Government Relations**

The Maryland State Education Association opposes Senate Bill 892. Senate Bill 892 establishes the Public Charter School Facility Fund, which would provide annual funding directly to public charter schools for certain expenses associated with public charter school facilities. Under the bill, the annual funding from the Public Charter School Facility Fund is provided directly to the public charter school and may not be paid to a local government or county board.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3-million-member National Education Association (NEA).

Under Maryland's Public Charter School Program, individuals or groups seeking to establish a public charter school must demonstrate as part of their initial application that the proposed public charter school has secured a facility that is suitable for the instruction of students.<sup>1</sup> Public charter schools may also be eligible to use existing school sites or buildings.<sup>2</sup> Moreover, public charter schools receive public funding from local boards of education that is commensurate with the amount of funds received by other public schools in the local jurisdiction, and public charter schools may receive surplus educational materials, furniture, supplies, and other equipment

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<sup>1</sup> MD Code, Education, § 9-104(a)(6)(ii).

<sup>2</sup> MD Code, Education, § 9-111.



from the State Board of Education or the local county board of education.<sup>3</sup> Finally, public charter schools are eligible for funding for capital construction and systemic renovation projects if they are operating from a facility owned by a local school system and the funding request is submitted by the local school system in which the charter school operates. In sum, public charter schools have ample opportunity and various avenues to pursue funding for facilities.

Senate Bill 892 runs counter to our union's core principles by establishing a facilities fund that is exclusively for the use of public charter schools at the expense of public funding that is not available for traditional public schools and distributes funding outside the control of local governing bodies, including local boards of education. For these reasons, MSEA cannot support Senate Bill 892.

**We urge the committee to issue an unfavorable report on Senate Bill 892.**

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<sup>3</sup> MD Code, Education, § 9-109.