



**Board of Education of Howard County  
Testimony Submitted to the Maryland House Senate,  
Education, Energy, and the Environment Committee  
March 6, 2024**

**Board of Education  
of Howard County**

**SB1043: UNFAVORABLE**

**Education – Public School Employers and Employees – Subcontracting for Services**

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The Board of Education of Howard County (the Board) opposes **SB1043 Education – Public School Employers and Employees – Subcontracting for Services** as a contracting mandate on school systems that would inhibit fluid operations.

SB1043 creates various requirements on the use of subcontractors in schools to meet the bills stated intent that the public policy of the state should be that public school employers use public school employees to perform instructional and noninstructional human services functions in public schools rather than subcontracting with the private sector to perform the same functions. If looking to use subcontractors, SB1043 would require school systems to engage in negotiations with bargaining units where the position would otherwise be covered, conduct public hearings on the potential use of subcontractors, and collect feedback from various stakeholders. Additionally, the bill puts extensive requirements on subcontractors and the resulting agreements for employment with a school system, including that a subcontracting agreement may not be approved by a school system on the basis that cost savings will result from the subcontractor providing their employees reduced rates of pay or benefits compared to public school employees.

The decline in available teaching and support staff is a concern in Howard County as well as across the state and nation. While employment of staff as direct employees is always the first choice in hiring for the school system, it is not always feasible. Currently, the Howard County Public School System uses contractors for positions where this is the case, especially for positions that may serve multiple schools/locations or are project/need based, such as related service providers to fulfill Individualized Education Program (IEP) requirements and information technology support professionals. SB1043 would create significant time constraints on a school system's ability to quickly hire and fill gaps in the workforce with subcontractors, which would negate their benefit when staff are required for essential functions of the school system.

The Board opposes legislation which limits local board flexibility in oversight of school system operations and budgets by mandating specific positions or operations. Limiting the ability to determine hiring practices and contract terms when subcontractors are needed will make it more difficult to get staff in front of students.

For these reasons, we urge an UNFAVORABLE report of SB1043 from this Committee.