

**Testimony of the  
Baltimore City Board of School Commissioners  
In Opposition to  
House Bill 1175 – Education –  
Public School Employers and Employees – Subcontracting for Services**

**February 28, 2024**

The Baltimore City Board of School Commissioners opposes House Bill 1175 and cannot overstate the magnitude of the costs expected should this legislation become law. As drafted, the bill mandates it be the policy of the State that public school employers use public school employees to perform instructional and noninstructional human service functions in public schools rather than subcontracting with the private sector to perform the same function.

It is important to understand this bill moves beyond targeting positions such as virtual substitutes and tutors by instead encompassing non-instruction with such a broad brush that the district would generally be prohibited from any contract that involves human beings providing services. This covers an enormous amount of territory.

The bill could have a massive effect on facilities, capital projects, community schools, academics programming, and even legal support with the wording being so vague. We contract out hundreds of millions of dollars in services a year. There is an impact on the community and MBE/WBE as well. We suspect this would impact every one of our offices and divisions. To that end, would we have to hire and retain even simple things such as catering services and use district employees. This also seems to require that there be an internal bus fleet, when the majority of our students ride MTA. The bill would mean the school system must write its own curriculum materials or that our collective bargaining units now prevail in determining all of these things listed previously.

Under the bill, if a school district feels services must be performed by a contractor, they must first negotiate with the relevant union about any impact they think that contract might have on their members within 90 days before any solicitations occur, and then it can only be approved if there is clear evidence of cost savings – however, those savings cannot be driven by the people providing the services earning less than district employees would earn.

While there is much emphasis on employees being displaced by contractor work, the bill is in no way limited to contracts that would actually lead to such a result. We easily estimate the cost of

having every City Schools service provided by employees or contractors with the same wages as employees at tens of millions of dollars annually, at minimum, and maybe substantially more.

The costs of operationalizing the legislation with all of the additional notifications, negotiations, legal review, public forums etc. seems quite significant as well, given the volume of procurements that it takes to run a school district.

For the foregoing reasons, the Baltimore City Board of School Commissioners urges an unfavorable report.

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