



**PSSAM**  
Public School Superintendents' Association  
OF MARYLAND

**Mary Pat Fannon, Executive Director**

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**BILL:** HB 737

**TITLE:** Alternative Education Options - Right to Learn and Broadening Options and Opportunities for Students Today Programs (Right to Learn Act of 2023)

**DATE:** February 22, 2023

**POSITION:** Oppose

**COMMITTEE:** House Ways and Means Committee

**CONTACT:** Mary Pat Fannon, Executive Director, PSSAM

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The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **opposes** House Bill 737.

House Bill 737 requires each county board of education, on or before January 1st of each year, to provide the parent or guardian of a student attending a failing school notice that the school is failing, as well as a list of alternative school options for the student. Additionally, this bill establishes the Right to Learn Program, which would provide students who attend a failing school the choice to pursue an alternative education option with scholarships established under the Broadening Options and Opportunities for Students Today (BOOST) Program.

In 2016, the BOOST program was created and established a \$5 annual appropriation to provide vouchers for students who are eligible for the free or reduced-price lunch program to attend eligible nonpublic schools. PSSAM, along with our partners in education advocacy such as the Maryland Association of Boards of Education (MABE) and the Maryland State Education Association (MSEA), has consistently opposed legislation to further codify the establishment of the BOOST program. Based on the performance of this program and the competing priority of meaningful increases in State aid for public education, we continue to request each year that the program should be removed from the State Budget.

PSSAM does not believe that this legislation is needed to promote parental choice among the public and non-public schools in the State. Maryland enjoys a wide array of educational opportunities for all students, including a consistently high performing public education system and within several school systems, charter schools continue to grow at a rapid pace. PSSAM believes that legislation goes too far in creating a private and parochial school voucher program that would threaten public school funding, and public control over the use of public funds.

Generally, nonpublic schools, including non-sectarian and parochial schools, are not subject to the same legal regulations as public schools, such as special education laws and teacher certification regulations, and have no direct accountability to taxpayers for their use of tax revenues. The vast majority of nonpublic school programs are not linked to State or federal student performance accountability measures, or special education provisions of the federal Individuals with Disabilities Education Act (IDEA). In addition, many nonpublic schools instruct their students in particular religions, a practice that is unconstitutional in public schools and which public funds may not directly support. This bill relies on minimal nondiscrimination standards that have already been difficult to enforce in the existing program, and any expansion of the BOOST program would further hinder the effort to ensure that public dollars are not allocated to programs unaligned with nondiscrimination standards.

PSSAM strongly emphasizes our concern in allocating public dollars to support nonpublic programs that are not regulated under the same standards as public programs. We strongly urge the committee to consider the serious economic, constitutional, legal, and public policy consequences of the existing BOOST program, as well as any proposals to increase public funds to its operations as outlined in this legislation.

For these reasons, PSSAM strongly **opposes** House Bill 737 and urges an unfavorable committee report.