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BILL: HB 791
TITLE: Operating Budget - Funding - Scholarships for Nonpublic School Students
DATE: February 20, 2024
POSITION: Unfavorable
COMMITTEE: House Ways and Means Committee
CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **opposes HB 791.**

This bill requires the Governor to include a general fund appropriation in the annual budget bill for the Broadening Options and Opportunities for Students Today Program (BOOST) beginning in fiscal 2026. BOOST provides scholarships for students who are eligible for the U.S. Department of Agriculture's free or reduced-price lunch program to attend eligible nonpublic schools. The mandatory appropriation is \$10.0 million for fiscal 2026, \$12.0 million for fiscal 2027, \$14.0 million for fiscal 2028, and \$16.0 million for fiscal 2029 and each subsequent fiscal year.

In 2016, the BOOST program was created and established a \$5 million 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.

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.

Unlike nonpublic and private schools, with the exception of nonpublic special education schools, Maryland public schools are held strictly accountable by local, State, and federal laws and regulations such as teacher education and certification, academic standards, and anti-discrimination laws. Local superintendents fully recognize that strong accountability measures for Maryland's 900,000 public school students translates into strong accountability for public dollars invested in education. In addition, it is important to note that public schools provide effective educational programs for all students, including

special education, English language learners, early childhood, and rigorous high school programs that are not always available in parochial and private schools.

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. PSSAM strongly opposes the establishment of a permanent funding stream that would ultimately finance private schools. The financial needs of our public-school students must take priority over those who choose a private or parochial education.

For these reasons, PSSAM strongly **opposes HB 791** and urges an unfavorable committee report.