



TESTIMONY TO THE HOUSE APPROPRIATIONS COMMITTEE

HB1430 Maryland Public Charter School Program - School Facilities - Funding

Position: Unfavorable

By: Linda T. Kohn, President

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The League of Women Voters of Maryland (LWVMD) is a non-partisan organization that supports policies that provide an equitable, quality public education for all children from pre-K through grade 12. *HB1430 - Maryland Public Charter School Program - School Facilities - Funding* provides an annual per-pupil appropriation for the maintenance and operation of public charter school facilities distributed by the Interagency Commission on School Construction (IAC) directly to the public charter school. The bill does not clearly identify whether the funds can be used to support capital projects or just to subsidize annual operating budgets. **LWVMD opposes HB 1430** because this lack of intent may lead to funding and cost burden inequities between non-charter public schools and public charter schools and inefficiencies in the allocation of capital funds.

Operating or Capital Funding? HB1430 lacks a sufficient description of the intended use or outcome of the funding. Although HB1430 states that the funding is for the maintenance and operation of public charter schools, it does not clarify whether the funds are intended for capital projects to build long term stability or just to subsidize annual operating expenses for public charter schools. The intent is important as the IAC develops and approves implementation policies, procedures, and regulations that ensure equity between public charter schools and public schools.

Operating Funding Issue: Public Charter Schools are funded through the local jurisdictions with a per-pupil allocation to support annual operating costs. The charter school per pupil allocation, calculated by the local education agency, includes an annual operating and maintenance appropriation.¹ To provide funding from the IAC would be an additional annual operating maintenance and operation allocation given to public charter schools that is not provided to non-charter public schools, creating inequity between public charter schools and public schools.

¹ Maryland State Department of Education (n.d.). *Steps to calculate per-pupil allocations for charter schools*. [Steps to Calculate Per Pupil Allocations for Charter Schools](#)

Capital Funding Issue: There is no provision in the Maryland charter school statute to provide annual facility capital funding for charter schools. Charter schools are expected to procure their own facilities and pay for maintenance and operations.² HB1430 proposes that the annual budget bill include an appropriation equal to the total aggregate student enrollment in the Maryland Public Charter School Program for the prior year multiplied by \$1,600. IAC funding awards generally include regulations for the selection of capital projects and are allocated based on project costs and district needs, not a per-pupil allocation. Moreover, public schools do not receive an annual operating and maintenance allocation based on enrollment from the IAC.

The legislation creates cost burden inequities because it does not include requirements that investments between the public charter schools and public schools are equitable. Capital projects for non-charter public schools are invested in publicly owned properties ensuring a return on invested tax dollars. Charter public school buildings are not always publicly owned so a return on public investment is not guaranteed. Although the proposed funding could potentially unlock federal support, the federal funding is competitive and limited. In fiscal year 2025, three states were granted awards and since 2009, nine awards have been granted.³

Providing for charter school facilities and operation expenses presents a series of complex policy considerations that include how to achieve both equity and efficiency in a mixed governance educational system. This bill does not address either of these, and instead provides an allocation not given to public schools and circumvents current processes and procedures in place for allocating capital funds.

LWVMD urges an **unfavorable** report on SB1430

² Levin, J. et al. (December 2016). *Study of funding provided to public schools and public charter schools in Maryland*. Washington, DC: American Institutes of Research.
[Studyfundingprovidedpublicschoolspubliccharterschoolsmd122016.pdf](#)

³ U.S. Department of Education (n.d.). *State charter school facilities incentive grants*. [State Charter School Facilities Incentive Grants | U.S. Department of Education](#)