

UNFAVORABLE
House Bill 1430
Maryland Public Charter School Program - School Facilities – Funding

Senate Budget and Taxation Committee
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The Maryland State Education Association opposes House Bill 1430, which would require the Interagency Commission on School Construction to distribute per pupil funding, for charter school students only, to public charter schools for the maintenance and operation of charter school facilities.

MSEA represents 76,000 educators and school employees who work in Maryland's public schools and community colleges, teaching and supporting our almost 900,000 K-12 students so they can pursue their dreams. MSEA represents more than 44 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3-million-member National Education Association (NEA).

MSEA supports Maryland's public charter schools and the students and educators who learn and work in their facilities. Maryland has found the right balance in demanding accountability and supporting the ability to replicate success stories in our charter school laws. Recent regulations by the State Board of Education have tried to settle disputes related to "commensurate funding" for charters, and MSEA has been actively involved in those conversations to ensure equity, predictability, and support for traditional and charter schools alike.

Like many in the General Assembly, MSEA is incredibly proud of the collective work that has gone into strengthening Maryland's public schools over the years. The Blueprint for Maryland's Future did not emerge in isolation—it built on decades of policy decisions grounded in a simple but powerful principle: we invest more where students have greater needs. That commitment has long guided our approach to funding students living in poverty, students receiving special education services, and multilingual learners. The Blueprint reinforced those commitments and expanded them, most notably through concentration of poverty grants designed to address the real barriers students face outside the classroom.

That is why this bill is so troubling.



House Bill 1430 proposes what would effectively be the first new per pupil funding stream added to Maryland's education system since those major equity investments. But unlike those policies, this proposal is not driven by student need. It is driven by facility type. Even for those who believe charter schools require additional facility support—and we do not dismiss that concern—this bill asks the State to prioritize that need ahead of many others that remain unmet across our system.

As advocates for public education, we have been told nearly every day of this legislative session that the dollars to address hold-harmless counts for student enrollment drops, funds for deserving Nationally Board Certified teachers, revisions to how we fund special education, investments to address collaborative time, and so much more are not available today and must be paused to be addressed at a later time. Against that backdrop, the timing of this proposal is odd. At a time when members of this Committee are asking stakeholders to propose future relief to mandated Blueprint spending; to help identify a pressure-relief valve to out-year expenses, this proposal is introduced – and it creates a new, mandated operating funding stream that will grow over time and compete directly with the very priorities we are working to sustain. It is difficult to think of all of the unmet needs that the one that takes this priority and is determined to be this urgent is with charter school facilities.

Proponents of the bill have pointed to the federal State Charter School Facilities Incentive Grants (SFIG) program as a justification for establishing this per pupil structure in state law. While it is true that such per pupil funding is a requirement of the SFIG, it is important to be clear about what participation in that program entails. The federal funding is front-loaded, but it is not permanent. Over time, every federal dollar must be replaced with state funding. Within five years, the State assumes the full cost of the program.

In that context, securing a federal award may actually represent the worst-case scenario for out-year state budgeting, not the best. What begins as a relatively modest investment, particularly on this bill as passed in the House, quickly becomes a significant and ongoing obligation for the State—precisely at a time when we are already facing structural budget pressures.

There are also fundamental concerns about how this proposal fits within Maryland's broader school construction and maintenance framework. If this is a maintenance program, then school districts and charter schools alike are told that ongoing building maintenance expenses are calculated as part of the Foundation Program in the base school funding formula. Charter schools and traditional schools alike qualify for the same foundation amount. And as previously noted, at this very moment, the State Board of Education is in the



process of finalizing new regulations related to commensurate funding for charter schools, changes that are likely to increase operating allocations. Without fully understanding the fiscal impact of those changes, we should not be adding this per pupil amount on top of the growing share of formula dollars that charters will be receiving.

Finally, this bill raises practical concerns about the use of public dollars for facilities that may not be publicly owned. In cases where charter schools choose to operate in privately owned buildings, state investments could be used to improve assets that do not remain in public hands. If those schools close, there may be little to no long-term public return on that investment.

Charter schools are public schools, and they deserve thoughtful and equitable support. This bill, however, is not the right approach. It creates a new funding stream that is disconnected from student need, introduces long-term fiscal obligations, and competes with higher-priority investments at a time when resources are already constrained.

For all of these reasons, MSEA respectfully urges an unfavorable report on House Bill 1430.