

BILL: Senate Bill 904
TITLE: Education – Public Schools – Service Contracts and Professional Development
HEARING DATE: March 4, 2026
POSITION: UNFAVORABLE
COMMITTEE: Education, Energy, and the Environment
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The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, **opposes Senate Bill 904 – Education – Public Schools – Service Contracts and Professional Development.**

Senate Bill 904 would require that every procurement contract for services provided to a public school be submitted to the Maryland State Department of Education (MSDE) for prior approval, including a justification of need and a plan of assistance for employees adversely affected by the contract. Separately, the bill directs MSDE to design and develop a statewide system of paid professional development for paraeducators and other education support professionals. These are two distinct policy initiatives. MABE's opposition is directed at the State preapproval requirement that SB 904 would impose on all local school system service contracts.

Local boards of education are charged with governing their school systems. A foundational principle of Maryland public education is that decisions about how best to balance educational programming, available resources, workforce needs, public input, and fiscal accountability are made at the local level. Senate Bill 904 would fundamentally alter that structure by conditioning the execution of any service contract on prior State approval.

School systems enter into hundreds of service contracts each year. To name just a few, school systems regularly enter into contracts for special education providers, mental health services, student transportation, school nurses, information technology, groundskeeping and snow removal, translation services, facilities maintenance, professional development, data systems, and many other instructional and operational supports. These contracts are not executed to undermine the profoundly important labor force and full time employees working in a school system; rather they are necessary for the daily academic and operational functioning of a school system for its students, families, staff, and community. Many of the contracts are time sensitive and critical to address existing staff shortages. Requiring MSDE approval for every such contract would create an administrative bottleneck for local school systems and for MSDE. Neither local procurement offices nor MSDE are structured to process, review, and second-guess hundreds of individualized service justifications from each of the 24 systems annually.

The bill also requires submission of a “plan of assistance” for employees adversely affected by a service contract, regardless of whether the contract replaces existing staff, supplements existing services, or fills a vacancy that cannot be staffed. In the current environment of statewide staffing shortages across instructional and non-instructional roles, school systems frequently rely on contracted services not to displace employees, but to ensure that students receive legally required and mission-critical services. Imposing a uniform workforce impact analysis on all service contracts assumes displacement where none may exist and adds enormous procedural burden without demonstrated benefit.

It is impossible to overstate the necessity of routine service contracts in school systems. By subjecting all service contracts to state preapproval, the bill would shift operational authority from locally elected or appointed boards to a centralized review process, undermining the governance structure long recognized in Maryland law. Importantly, local boards are already subject to comprehensive procurement laws, public bidding requirements, financial audits, public meeting transparency requirements, and collective bargaining obligations. Decisions to enter into service contracts are made within this existing framework of accountability. The additional layer of MSDE approval would not enhance transparency or fiscal oversight; rather, it would delay implementation of needed services, increase administrative costs, and reduce local flexibility to meet student needs.

While the bill’s separate directive regarding professional development for paraeducators and education support professionals may warrant policy discussion on its own terms, it should not be coupled with a sweeping restriction on local procurement authority. The two concepts are not operationally linked, and MABE does not weigh in on the policy issues concerning professional development.

For these reasons, MABE opposes Senate Bill 904 and respectfully urges an unfavorable report.