

# **SB0329 - Testimony - Palombi.pdf**

Uploaded by: Chris Palombi

Position: FAV

February 24, 2026

Chris Palombi

Educator | Former Computer Science Teacher | Ice Hockey Coach

St. Leonard, Maryland

Senator Brian J. Feldman, Chair

Senate Committee on Education, Energy, and the Environment

2 West Miller Senate Office Building

11 Bladen Street

Annapolis, MD 21401

**Subject: Written Testimony in Support of Senate Bill 0329 / House Bill 0455**

Chair Feldman, Vice Chair Kagan, and Members of the Committee,

Thank you for the opportunity to testify today in support of Senate Bill 0329. My name is Chris Palombi, and I work in education. I've taught Computer Science, helping students build problem solving and critical thinking skills. I've also spent 17 years coaching boys and girls ice hockey, where I've seen firsthand how a supportive environment that meets each child's needs unlocks confidence and achievement.

My experience in both the classroom and on the ice has shown me something fundamental. Every learner is different, and every student deserves access to the tools that help them succeed.

When I taught Computer Science, I quickly learned that students absorb information in very different ways. Some are visual learners who need diagrams and flowcharts. Some are auditory learners who understand best through explanation. Others are hands-on learners who only grasp concepts when they can test, experiment, and debug code themselves. Programming makes this obvious. Two students can sit in the same class, hear the same lesson, and one understands immediately while the other needs a different approach. That doesn't mean one is less capable. It means they learn differently.

Senate Bill 0329 recognizes that reality. It would allow Maryland to opt into the federal education tax credit scholarship program. The program provides a dollar for dollar federal tax credit of up to \$1,700 for donations to scholarship organizations that help students access educational resources such as tutoring, therapies, specialized instruction, and tuition.

This is important. This is a federal opportunity that Maryland must opt into for our families to benefit. If Maryland does not opt in, Maryland taxpayers will still be able to make

charitable donations and claim the federal credit, but those donations will go to support students in other states. Maryland students will not be able to access the private funding

This bill does not divert existing Maryland education funding and does not require new state spending. It simply allows Maryland students to access private donations to support their learning goals. The federal tax credit does not provide "federal dollars" or federal resources. And importantly, it does not leave students or families behind. It recognizes that parents know their children best and gives them additional tools to help their students succeed.

As an educator and coach, I have seen students with different learning needs thrive when they receive the right supports. Many students, including those with IEPs or specialized learning needs, require services such as tutoring, speech therapy, occupational therapy, or adaptive tools. For some families, these supports are financially out of reach. This program can help bridge that gap, whether a student remains in public school or needs supplemental services beyond what is currently available.

When students receive the support that matches how they learn, everything changes. Confidence replaces frustration. Engagement replaces discouragement. Potential replaces limitation. That is the difference between getting by and truly thriving.

Support for accessing these federal resources as 27 states have already opted in, and support has crossed party lines. Colorado Governor Jared Polis, a Democrat, chose to opt his state into the program. He stated that the tax credit creates "an immense opportunity" for families and emphasized that if Colorado did not participate, the state would be "leaving millions of federal dollars on the table that could help children."

That principle is simple and bipartisan: when resources exist to help students, we should not leave them unused.

Senate Bill 0329 gives Maryland the chance to say yes to every available resource that can help our students succeed, especially those who face the greatest challenges. It costs our state nothing, but it has the potential to change lives.

If you truly believe every student deserves the chance to succeed, then a favorable report and vote for Senate Bill 0329 is a step worth taking.

Thank you for your time and consideration.

Chris Palombi

**Document SB 329.pdf**

Uploaded by: Janet Greenhawk

Position: FAV



Dear Members of the Maryland Senate,

We support SB 329, The Opting In On Opportunity Act. Families deserve the right to make choices in the education of their children. This act would allow Maryland families to make educational choices for their children. This bill allows these families to opt in to the federal program, which allows them to take up to \$1700 off their federal taxes by donating to help both public and private schools. However, the legislature must opt in to the program.

This is money for kids in need. This bill will not affect any of the Blueprint funding or mandates. It ensures accountability by requiring annual reporting, distributing funds to multiple schools and students at various income levels.

Many in the legislature and our current Governor can afford to send their children to expensive private schools. All children in Maryland deserve this chance. This bill will encourage donors to help Maryland's kids. We strongly urge you to pass SB 329.

Sincerely, Jan Greenhawk Chairman,

Moms for Liberty Maryland Legislative Committee

Moms for Liberty Talbot County

**Letter for SB0329.pdf**

Uploaded by: Michele Minicozzi

Position: FAV



**St. Mary's Ryken**  
A College Preparatory Catholic High School

February 25, 2026

Senator Brian J. Feldman, Chair  
Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
11 Bladen Street  
Annapolis, MD 21401

**Subject: Support HB 0455 / SB 0329 – Keeping Opportunity in Maryland**

Dear Senator Feldman,

As a **registered Democrat**, an education professional with more than three decades of experience, and someone who believes deeply in the importance of education and economic justice, I am writing to respectfully urge your support for **SB 0329 — the Opting In on Opportunity Act**.

While this federal education tax credit originated under Republican leadership, **expanding access for working and underserved families is a Democratic value**. The question before us is whether Maryland will use this federal tool to advance equity for families in our state.

This proposal **does not divert a single dollar from Maryland public schools**. It does not alter the Blueprint. It does not reduce state aid formulas. It leverages **federal tax credits — not Maryland's general fund** — there is no negative fiscal impact on public education funding.

Importantly, these scholarships are designed to support families in choosing **the school that best fits their child's educational needs**. Families with children in public schools can also benefit by receiving assistance for necessary services and supports — including therapies, specialized instruction, required materials, and transportation — expenses that often fall directly on working and underserved families.

**It is also important to look carefully at the data.**

According to the Maryland State Department of Education's 2024–2025 enrollment reports, Maryland serves **1,026,820 K–12 students** statewide. Of those, **889,971 students — approximately 87% — attend public schools**, while **136,849 students — approximately 13% — attend nonpublic schools**.<sup>1 2</sup>

Because tax-credit donations may support eligible educational expenses for students in public schools — including therapies, tutoring, materials, and transportation — participation would naturally reflect where the overwhelming majority of Maryland students are enrolled.

If participation mirrors enrollment:

**Approximately 87% of donors would likely be connected to public school families.**

**Approximately 87% of funds would support educational expenses for public school students.**

For every **300 donors**, the \$1,700 federal tax credit generates **\$510,000** in scholarship funding.

February 25, 2026

Senator Brian J. Feldman, Chair

Page 2 of 2

If just one family member for each of Maryland's **889,971 public school students** participated by donating \$1,700 to a qualified Scholarship Granting Organization, that would generate more than **\$1.5 billion (\$1,512,950,700)** to help Maryland public school families cover out-of-pocket educational expenses.

By comparison, participation directed toward nonpublic school students would represent a smaller share of total enrollment. Even so, for working and underserved families in independent and faith-based schools, the impact would still be transformational. Eligibility is limited to households earning under **300% of area median income**, ensuring the program **prioritizes middle-income, working-class, and underserved households**.

In addition to the policy and fiscal merits, I bring more than **30 years of experience working to make appropriate education accessible for students facing financial and learning challenges**. I have seen firsthand that when we support children early — with the right environment, structure, and services — **we change life trajectories**. Appropriate education can mean the difference between long-term dependency and long-term productivity; between involvement in the criminal justice system and stable employment; between young adults stuck without direction and launching successful careers.

**When we invest in students early, we invest in a more productive adult population and stronger communities.**

If Maryland declines to opt in, **our taxpayers' federal contributions will fund scholarships in other states**. Maryland families will subsidize opportunity elsewhere while receiving none of the benefit here.

This legislation **expands opportunity, protects public school funding, and utilizes federal resources without increasing state spending**. It is not about weakening public education — it is about strengthening families across educational settings.

**A rising tide truly does lift all boats.**

As an advocate for education, you know well that access to a quality education for every Marylander and creating a well-educated workforce is not a one-size-fits-all model. I respectfully ask that you support a favorable report and help ensure Maryland families — especially working and underserved families — are not left behind.

I would welcome the opportunity to speak further about the data and the lived outcomes behind this model. Thank you for your leadership and service.

Sincerely,



Michele Minicozzi

Director of Development

[michele.minicozzi@smrhs.org](mailto:michele.minicozzi@smrhs.org)

610-496-8307

1 Maryland State Department of Education. Enrollment and Attendance Update, December 2025. MD State Board of Education.  
2 Maryland State Department of Education. 2024–2025 Nonpublic School Enrollment Report (Table 2).

# **SB 329\_HB 455\_ Education - Certification of Schol**

Uploaded by: Trudy Tibbals

Position: FAV

**SB 329/HB 455:** Education - Certification of Scholarship Granting Organizations (Opting in on Opportunity Act): Please vote to **SUPPORT** this BIPARTISAN bill.

Dear Education, Energy & the Environment Committee and Ways & Means Committee:

I am writing to strongly urge you to **SUPPORT SB 329/HB 455**, the *Opting in on Opportunity Act*.

This bipartisan legislation would allow Maryland to opt into a new federal tax credit program by having the State Department of Education certify qualifying nonprofit scholarship granting organizations (SGOs). These certified SGOs would enable Maryland taxpayers to claim a dollar-for-dollar federal income tax credit (up to \$1,700 annually) for donations that fund scholarships for K-12 students—covering tuition, tutoring, special needs support, supplies, technology, and more at accredited public or private schools.

Importantly, this carries **zero cost to Maryland taxpayers or the state budget—no state funds are required**, and the state simply certifies eligible nonprofits, submits an annual list to the U.S. Treasury, and provides online guidance for claiming the credit. **Without this opt-in, Maryland families and donors will miss out** on this federal opportunity, with donations potentially flowing to SGOs in other states instead.

**This measure expands support for families—especially those in need—**through private philanthropy incentivized by federal tax relief. It benefits students across public and private options **without mandating new spending or altering existing public education funding**.

For these reasons, I respectfully ask you to **vote in favor of SB 329/HB 455** and help bring this valuable federal scholarship opportunity to Maryland families.

Thank you for your time and thoughtful consideration of this important education legislation.

Sincerely,

Trudy Tibbals

**HB 455 \_ SB 329 Testimony - Fish Stark.pdf**

Uploaded by: Fish Stark

Position: UNF



February 25, 2026

Maryland Senate Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

**Testimony Opposing S.B. 329: Education - Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)**

Chair Feldman, Vice Chair Kagan, Members of the Committee,

As a concerned Marylander, an educator, and as the Executive Director of the Center for Freethought Equality, I urge you to reject SB 329, the Opting in on Opportunity Act, as well as its companion, HB 455.

The Center for Freethought Equality is the advocacy and political arm of the American Humanist Association, and advocates on behalf of the 30% of Americans—and 33% of Marylanders<sup>1</sup>—who identify as humanist, atheist, agnostic, “none,” or “nothing in particular” on issues including the separation of church and state and protecting civil liberties and human rights for all.

In pursuit of those aims, the organization and our members are deeply concerned about any legislative proposal that establishes or expands private school vouchers. On behalf of the Center for Freethought Equality, I urge the committee and the broader Assembly not to opt into the federal voucher program or expand the presence of private school vouchers in our state.

**The Reality of the New Federal Voucher Program Tax Credit**

In July 2025, Congress passed the One Big Beautiful Bill Act. The law creates a voucher program that offers a novel dollar-for-dollar federal tax credits to individuals who donate to a nonprofit that provides school vouchers to students in private and public schools. However, the law does not require every state to participate; states must opt in. If HB 455 / SB 329 were to pass, Maryland would opt-in to this untested and destabilizing federal voucher program.

This is an unprecedented federal tax policy that caters to the wealthiest Americans. Through this program, anyone can donate up to \$1700 to a scholarship granting organization (SGO), lower their taxable income, and then receive a dollar-for-dollar tax credit back.

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<sup>1</sup> <https://www.pewresearch.org/religious-landscape-study/state/maryland/>

Through the federal program, SGOs, which are private organizations unaccountable to the public, would award donated funds to students in private and public schools whose family income is below 300% of their area median income. For example, families of four making up to \$491,700 in Charles, Frederick, Montgomery, Prince George's Counties, would be able to take advantage of this program<sup>2</sup>.

### **The Federal Program Has Not Been Finalized, Leaving Important Questions Unanswered**

This program is currently going through the federal rulemaking process. We do not yet know how the Department of Treasury will shape the program, how SGOs will benefit or be held accountable, how much control states will have in its implementation, or what administrative costs states will bear. It would be irresponsible for Maryland to commit itself on behalf of its residents to any program without knowing exactly what rules it would be beholden to and what the costs and benefits would be to the people of our state.

### **Private School Vouchers Violate the Principle of Separation of Church and State and Fund Bigotry**

Secular public schools—which are funded with public tax dollars and educate 90% of students in the United States—serve every child<sup>3</sup>. They are required to adhere to laws that ensure all kids, including LGBTQIA+ youth, non-white students, atheists, and disabled students, have fair access to educational opportunity.

Instead of focusing on funding the public education of every child, private school voucher programs—like the one this legislation opts Maryland into—enable state-sponsored discrimination. They redirect otherwise public tax dollars away from public schools to private schools, of which 77% are religious<sup>4</sup>, and all of which are allowed to discriminate in who they educate.

To the detriment of young people in our state, religious schools are incapable of offering an equally accessible education to every student regardless of their faith. 100% of religious private schools are at liberty to discriminate against marginalized students based on, for example, their religion, economic status, disability, sexual orientation, and academic achievement.

### **Private School Voucher Programs are Unaccountable to the Public**

Public schools receive public funds, and thus, they are set up to be accountable to the public. They are subject to open records laws, civil rights protections, public oversight, and elected boards. Private schools, on the other hand, are subject to no such requirements.

All programs that funnel public tax-payer dollars into private religious schools not only disadvantage Americans that rely on public education; they threaten closure of community institutions that, particularly in rural areas, serve as polling places, adult education classrooms, health clinics, and other neighborhood needs<sup>5</sup>.

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[https://static1.squarespace.com/static/582f7c15f7e0ab3a3c7fb141/t/6827928afb5faa3f593d4bb9/1747423883070/Area+Gross+Median+Income+%28AGMI%29+Fact+Sheet\\_FINAL+%281%29.docx.pdf](https://static1.squarespace.com/static/582f7c15f7e0ab3a3c7fb141/t/6827928afb5faa3f593d4bb9/1747423883070/Area+Gross+Median+Income+%28AGMI%29+Fact+Sheet_FINAL+%281%29.docx.pdf)

<sup>3</sup><https://www.pewresearch.org/short-reads/2024/06/06/us-public-private-and-charter-schools-in-5-charts/>

<sup>4</sup><https://www.pewresearch.org/short-reads/2024/06/06/us-public-private-and-charter-schools-in-5-charts/#:~:text=During%20the%202021%2D22%20school%20students%20attended%20secular%20institutions.>

<sup>5</sup> [https://pfps.org/assets/uploads/Save\\_Neighborhood\\_Schools\\_Say\\_No\\_to\\_Private\\_School\\_Vouchers\\_FINAL\\_.pdf](https://pfps.org/assets/uploads/Save_Neighborhood_Schools_Say_No_to_Private_School_Vouchers_FINAL_.pdf)

### **Vouchers Subsidize Private Schools and the Wealthy.**

Voucher proponents contend that private school vouchers assist the most disadvantaged students. That is not the case. The majority of voucher funds—in some cases, up to 75%—go to students who were not previously public school students<sup>6</sup>. Areas with the lowest poverty rates, highest incomes, and highest educational attainment receive the lionshare of vouchers<sup>7</sup>, and in states with voucher programs, private schools have raised tuition rates as high as 25%<sup>8</sup>.

### **Evidence Shows that Private School Vouchers Harm Student Outcomes**

We know that student success is the first priority of lawmakers. Countless studies show that not only do voucher programs not improve student outcomes, they worsen outcomes in the long run<sup>9</sup>. And vouchers have been found to cause academic delays on par with or worse than the COVID-19 pandemic and natural disasters<sup>10</sup>.

### **Oppose this Legislation.**

Lawmakers' interest in supporting the education of Maryland's young people would have a greater impact if directed at improving its public schools, rather than subsidizing wealthy families' private education. Counseling, health care, nutrition, after-school programs, tutoring, special education programs, and capacity building opportunities for educators are all ways to meaningfully support all students regardless of family income—and could all benefit from additional resources.

Lawmakers should be exploring opportunities to strengthen its public education system, not incentivizing more families to leave public schools, which will only worsen education in Maryland. The new federal program is untested and incomplete. It would be negligent of this committee to support this legislation and gamble with our students' futures.

I respectfully urge the committee to reject this legislation.

Thank you for the opportunity to submit testimony and for your consideration. Please contact the American Humanist Association's Policy Manager, Isabella Russian (irussian@americanhumanist.org), with any questions or concerns.

Warmly,



Fish Stark

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<sup>6</sup> <https://www.edweek.org/policy-politics/most-students-getting-new-school-choice-funds-arent-ditching-public-schools/2023/10>

<sup>7</sup> <https://www.brookings.edu/articles/arizonas-universal-education-savings-account-program-has-become-a-handout-to-the-wealthy/>

<sup>8</sup> <https://edworkingpapers.com/ai24-949>

<sup>9</sup> <https://education.indiana.edu/research/centers/ceep/education-policy/policy-briefs/2022/evolving-evidence-on-school-voucher-effects.html> ;

<https://education.indiana.edu/research/centers/ceep/education-policy/policy-briefs/2022/does-competition-help-schools.html> ;

<https://www.fldoe.org/core/fileparse.php/5606/urlt/FTC-Report1819.pdf>

<sup>10</sup><https://time.com/6272666/school-voucher-programs-hurt-students/>

Proud Maryland Resident  
Executive Director, Center for Freethought Equality  
Vice Chair, City of Annapolis Education Commission  
Vice Chair, Annapolis Democratic Central Committee  
Treasurer, Young Democrats of Maryland

## **2-27- SB 329 -Education - Certification of Scholar**

Uploaded by: Gail Sunderman

Position: UNF



**TESTIMONY TO THE SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT  
COMMITTEE**

**SB 329 Education - Certification of Scholarship Granting Organizations (Opting in  
on Opportunity Act)**

**POSITION: Oppose**

**BY: Linda T. Kohn, President**

**Date: February 27, 2026**

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. *Senate Bill 329, Education - Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)* **would require the State to participate in the Federal Tax Credit Scholarship program.** This federal program allows a dollar-for-dollar tax credit to individuals if they donate up to \$1700 to a Scholarship Granting Organization (SGO) that provides scholarships for students to attend non-public schools.

LWVMD opposes using public funds to support non-public schools. This bill, through the use of tax credits, will shift funds away from public schools to nonpublic schools, funds that could be used to improve public schools. The costs of this program to the State could be enormous.

**Puts public education at risk:** SB 329 does not advance the goal of providing an adequate public education for all students.

- Donations to SGOs are a dollar-for-dollar reduction in federal taxes up to \$1,700 whereas donations to other nonprofits are a reduction of taxable income. Thus, donations to the SGOs provide a federal tax break that is *three times more* than the incentive available to other nonprofit donations. This bill gives the taxpayer a choice of paying federal income tax or making a donation to a SGO.
- This federal tax credit is moving policy away from strengthening public education and towards promoting school privatization. As students move away from public education and public school enrollment declines, the funding for public schools and the political will to fund and support an equitable, quality public education for all children will also decline.
- The SGO can determine which students receive scholarships, with no priority based on student need or ability to pay private school tuition. SB 329 places no guardrails on the awarding of scholarships to ensure the equitable distribution of the scholarships to students with the most economic and/or educational need.

Indeed, the program will likely subsidize families already sending their children to non-public schools.

- The Federal law allows SGOs to award scholarships to eligible students who are members of a household with income below the 300% of area median income. ***The 300% of Maryland's area median income in 2025 is \$395,100.***<sup>1</sup> The very high income eligibility requirements represent a shift from prioritizing additional funding for students with special needs and students from lower income households, as Maryland has done, to spending on families with less need and more resources.

**No guardrails:** SB 329 does not provide guardrails to ensure that SGO recipient non-public schools provide an adequate education for all students. For example:

- SB 329 does not require teachers in non-public schools supported by SGOs to meet the same standards as public school teachers, such as requiring teacher certification or minimum starting salaries comparable to public schools.
- SB 329 does not include anti-discrimination or civil rights requirements that protect participating students from discrimination.
- SB 329 does not include accountability measures from schools or programs receiving funds from the SGOs to ensure the quality of the educational program offered by eligible schools or services provided by private tutoring.

**Administrative and implementation costs:** SB 329 directs the Maryland State Department of Education (MSDE) to carry out the requirements of implementing this program. This imposes administrative and financial costs on MSDE that are not addressed in the bill. These unfunded costs include:

- MSDE must approve and certify that the nonprofit organization meets the requirements to operate as an SGO.
- MSDE must review financial statements and program reports to ensure SGOs demonstrate compliance with regulations. Regulations include scholarship recipient household income restrictions, SGO scholarship distribution requirements of 90% of SGO income, and limits to scholarships for the same school.
- MSDE must provide an online report each year of the number of scholarships awarded by each SGO, average and median scholarship amounts and schools attended by scholarship recipients.
- There is no guidance as to the maximum amount of each scholarship or a requirement that the SGO and recipient school be unrelated or unaffiliated, which may lead to a conflict of interest and leaves the program open to fraud. The only recourse to regulatory violations is for MSDE to cancel SGO certification.

**Regulatory uncertainty:** To date, the IRS has not provided sufficient regulatory guidance on implementation. As of December 12, 2025, the IRS webpage states that

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<sup>1</sup> Department of Housing and Community Development. *2025 Income Limits*.  
<https://dhcd.maryland.gov/HousingDevelopment/Documents/prhp/2025-MD-Income-Limits.pdf>



additional guidance will be provided in the future.<sup>2</sup> Some of the questions raised regarding implementation can be found in IRS notice 2025-70. Without sufficient regulatory guidance on implementation, it is unclear how this will impact state finances. It is also unclear how much discretion the State will have in setting rules for SGOs that operate in Maryland. It is clear however, that it will most likely have a negative impact on public school enrollment as students, particularly those from wealthier families, leave the public school system.

LWVMD urges an **unfavorable report** on Senate Bill 329.

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<sup>2</sup> IRS (December 12, 2025). Treasury, IRS allow States to make an Advance Election to participate in the new federal tax credit for individual contributions to Scholarship Granting Organizations under the One, Big, Beautiful Bill. <https://www.irs.gov/newsroom/treasury-irs-allow-states-to-make-an-advance-election-to-participate-in-the-new-federal-tax-credit-for-individual-contributions-to-scholarship-granting-organizations-under-the-one-big-beautiful-bill>

# **SB329 Oppose (Written).pdf**

Uploaded by: Kenzie Funk

Position: UNF



### **Testimony in OPPOSITION of**

**Senate Bill 329:** Education – Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)

Senate Education, Energy, and the Environment Committee

**Position: Oppose**

February 27, 2026

Strong Schools Maryland is a network of education advocates dedicated to ensuring the full funding and faithful implementation of the Blueprint for Maryland's Future. We advocate, build power, and share resources with invested Maryland residents to co-create strong public schools. **Strong Schools Maryland urges an unfavorable vote on Senate Bill 329 – Education – Certification of Scholarship Granting Organizations (Opting in on Opportunity Act) which would require the Maryland State Department of Education to certify scholarship granting organizations in order to enable participation in a new federal tax credit program that subsidizes private school tuition.**

The Blueprint is a historic commitment to fully and equitably fund public education. Senate Bill 329 moves the State in the opposite direction as it would create a new mechanism to subsidize private school tuition while public schools remain responsible for serving every child, regardless of need, disability status, language background, or income. **Although the tax credit operates through the federal tax code, the effect is clear: it incentivizes individuals to redirect tax liability into contributions to private school scholarship organizations.** This will shift resources and policy focus away from Maryland's public school students to private schools.

Maryland public schools are required to provide services to students with disabilities, multilingual learners, students living in poverty, and students with complex academic and behavioral needs. The private schools that would benefit from these scholarships are not held to the same accountability, access, or transparency standards. Maryland is already facing fiscal pressure in fully funding compensatory education, special education, collaborative time, and community schools under the Blueprint.

In passing the Blueprint, the General Assembly made a promise that Maryland's public schools would be fully funded and among the best in the nation. At this moment, the State must hold the line on that commitment. We should be focused on securing sustainable revenue to meet

the Blueprint's obligations, not opening the door to policies that divert resources or dilute accountability.

The Blueprint for Maryland's Future was built to advance equity and accountability in public education. Senate Bill 329 would allow for the subsidization of private education without equivalent public accountability and without any requirement to serve all students.

**For these reasons, we respectfully urge an unfavorable report on Senate Bill 329.**

*For more information, contact Kenzie Funk: [Kenzie@strongschoolsmaryland.org](mailto:Kenzie@strongschoolsmaryland.org)*

**2026 SB0329 UNF.pdf**

Uploaded by: Mathew Goldstein

Position: UNF



<https://docs.google.com/forms/d/e/1FAIpQLSfU0l1WSdNHoXUz2uYdt4zf-ztmwuTz-rdKJ59WbJstj1Ylw/viewform>

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February 27 2026

**SB 0329- UNF**

Education - Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)

Dear Chair Brian J. Feldman, Vice-Chair Cheryl C. Kagan, and Members of the Education, Energy, and the Environment Committee,

The Department of the Treasury and the Internal Revenue Service recently issued [Revenue Procedure 2026-6 PDF](#) allowing States to make an Advance Election to participate in a new tax credit for calendar year 2027. This new credit, established under the One, Big, Beautiful Bill, is for contributions to Scholarship Granting Organizations (SGO) that serve elementary and secondary school students from low- and middle-income families with incomes up to 300% of the median income. The procedure places the burden of vetting SGO's on state governments. It is unclear if the state becomes legally liable if an identified SGO is later found by the IRS to be non-compliant. The procedure facilitates the privatization of education through the tax code, rewarding donations with an unprecedentedly generous dollar for dollar reduction in federal income tax owed, thereby rendering such donations cost free.

This bill proposes that Maryland participate in this new procedure with no assurance that the private schools being financed will accept every student, follow academic and safety standards, or be accountable to taxpayers. Secular Maryland opposes schemes like this that use tax money, directly or indirectly, to fund private schools that exempt themselves from the financial, academic, safety, and non-discrimination, standards that apply to government funded public schools.

Respectfully,

Mathew Goldstein  
3838 Early Glow Ln  
Bowie, MD 20716

**Oppose\_ SB329.pdf**

Uploaded by: Riya Gupta

Position: UNF



**OPPOSE:** Senate Bill 329

Education – Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)  
Senate Education, Energy, and the Environment Committee

**February 27, 2026**

The Blueprint Coalition, a 30+ member organization representing hundreds of thousands of Marylanders and co-led by representatives of Strong Schools Maryland and the Maryland Education Coalition, is committed to ensuring the full implementation and funding of the Blueprint for Maryland's Future. **The Blueprint Coalition urges an unfavorable vote on Senate Bill 329, which would require the Maryland State Department of Education to certify scholarship granting organizations in order to enable participation in a new federal tax credit program that subsidizes private school tuition.**

Maryland has made a historic commitment through the Blueprint to fully and equitably fund public education. Senate Bill 329 moves the State in the opposite direction. By facilitating participation in a federal tax credit scholarship program, this bill would create a new mechanism to subsidize private school tuition while public schools remain responsible for serving every child, regardless of need, disability status, language background, or income.

Although the tax credit operates through the federal tax code, the effect is clear: it incentivizes individuals to redirect tax liability into contributions to private school scholarship organizations. That shifts resources and policy focus away from the public system at a time when Maryland is still working to meet the full funding commitments of the Blueprint.

Public schools educate more than 850,000 students and are required to provide services to students with disabilities, multilingual learners, students living in poverty, and students with complex academic and behavioral needs. Private schools that would benefit from these scholarships are not held to the same accountability, access, or transparency standards.

Maryland is already facing fiscal pressure in fully funding compensatory education, special education, collaborative time, and community schools under the Blueprint. The State should not be creating new incentives that divert attention and energy away from strengthening the public system.

The Blueprint for Maryland's Future was designed to ensure equity and accountability in public education. Senate Bill 329 introduces a parallel structure that subsidizes private education without equivalent public accountability and without any requirement to serve all students. At a time when we are working to close achievement gaps and stabilize funding for high-need students, Maryland should

be reinforcing its commitment to public schools, not opening the door to policies that weaken that commitment.

**For these reasons, we strongly urge an unfavorable report on Senate Bill 329.**

**Please contact** Riya Gupta at [riya@strongschoolsmaryland.org](mailto:riya@strongschoolsmaryland.org) for additional questions.

**SB329\_MSEA\_Johnson\_UNF.pdf**

Uploaded by: Sean Johnson

Position: UNF

## **UNFAVORABLE**

### **Senate Bill 329 Education - Certification of Scholarship Granting Organizations**

**Senate Education, Energy and the Environment Committee  
February 27, 2026**

**Sean Johnson  
Executive Director**

The Maryland State Education Association opposes Senate Bill 329.

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 40 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3-million-member National Education Association (NEA).

Senate Bill 329 would authorize Maryland to participate in the federal tax credit scholarship program established under 26 U.S.C. § 25F by certifying scholarship granting organizations (SGOs) operating in the State. While framed as participation in a federal tax credit structure, the practical effect of this legislation is to facilitate the expansion of voucher-like subsidies for private and religious education through an unaccountable intermediary system.

#### **Public Dollars Should Support Public Schools**

MSEA's longstanding opposition to voucher programs is grounded in a simple and consistent principle: public resources should support public schools.

The federal tax credit scholarship structure created under H.R. 1 of 2025 diverts federal revenue to private scholarship organizations, which then subsidize tuition at private schools that are not subject to the same academic standards, accountability requirements, public transparency laws, or civil rights protections that govern Maryland's public schools. Participation in this structure undermines public education by normalizing a parallel, publicly subsidized private system that operates outside the democratic governance and accountability framework that Maryland taxpayers expect.

Moreover, if Maryland were ever to opt into participation, the State should preserve flexibility to prioritize eligible services connected to public school students—such as special education supports, tutoring, afterschool programming, summer learning, and supplemental academic supports—rather than allowing the program to function primarily as a private school tuition subsidy. Without clear guardrails, implementation decisions could steer the program almost entirely toward subsidizing private tuition rather than supporting broader student needs.

### **Insufficient Oversight and Reporting Requirements**

Even if the General Assembly were inclined to move forward with participation in this federal program, Senate Bill 329 lacks critical guardrails to ensure transparency, accountability, and protection of student rights.

The bill's certification and reporting provisions are insufficient. At a minimum, any scholarship granting organization certified by the State should be required to meet rigorous standards comparable to those imposed on public schools and public agencies handling taxpayer resources.

Critically, Senate Bill 329 should make explicit that Maryland retains full discretion to approve or deny certification of any scholarship granting organization. The State should not be required to approve every entity that merely satisfies a federal minimum standard. Maryland must retain clear authority to impose additional requirements, limit which SGOs may operate in the State, and deny or revoke certification for organizations that fail to meet Maryland's standards for transparency, accountability, fiscal integrity, or student protections.

If Maryland were to ever consider participation, MSEA urges the following protections:

#### **1. Clear In-State Operational Requirements**

Certification should be limited to scholarship-granting organizations (SGO) that are genuinely "located in the State," defined by a substantial and ongoing operational presence in Maryland. This should include:

- A physical office in Maryland from which program activities are administered;
- Personnel working in Maryland with authority over program administration;
- Continuous in-state programmatic activities, including monitoring and oversight of distributed funds; and,
- Maintenance of program records in Maryland, subject to in-state audit, inspection, and service of process.



An entity should not be considered “located in the State” merely because it operates a website, advertises services, or expresses intent to operate in Maryland.

In addition, any multistate SGO operating in Maryland must comply fully with Maryland-specific rules, reporting, and oversight requirements, rather than relying on aggregate compliance across multiple states. The State should require clear accounting of the amount of funding raised for Maryland students, the amount distributed to Maryland students, and administrative costs attributable to Maryland operations to ensure that funds intended for Maryland families are not redirected elsewhere.

## **2. Accountability Standards for Participating Schools**

Any education service provider receiving funds through a certified SGO should be required to meet standards equivalent to those governing Maryland public schools, including:

- State accreditation;
- Administration of the same state assessments and compliance with comparable accountability requirements as public schools;
- Compliance with the same health and safety standards;
- Comparable teacher certification requirements;
- Equivalent background check requirements for school personnel;
- Compliance with virtual learning standards applicable to public schools;
- Nondiscriminatory admissions policies, including random lottery processes when applications exceed capacity; and,
- Full compliance with federal civil rights protections applicable to public schools.

In particular, schools receiving publicly subsidized scholarship funds should be treated as de facto recipients of federal financial assistance for purposes of Title II of the ADA, Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA). Students with disabilities and their families must retain their rights to evaluation, individualized education programs, free appropriate public education, least restrictive environment protections, and due process safeguards.

Without these protections, the program risks subsidizing schools that can selectively admit students and avoid serving students with the greatest needs.

In addition, any scholarship application and eligibility verification processes must be accessible and not unduly burdensome for low-income families, multilingual families, or families lacking traditional documentation. Application materials

should be available in multiple languages, and technical assistance should be provided to ensure access exists in practice—not merely on paper.

### **3. Strong Governance and Financial Safeguards for SGOs**

Scholarship granting organizations themselves must be subject to meaningful governance and fiscal standards, including:

- Compliance with Maryland nonprofit law;
- A governing board of at least five members, with a majority independent of management;
- Separation of board chair and chief executive roles;
- Adoption of conflict-of-interest, whistleblower protection, and expense reimbursement policies;
- Strict limits on administrative fees retained by the SGO—potentially below the 10 percent federal maximum;
- Annual certified financial audits conducted in accordance with Generally Accepted Accounting Principles and submitted to the Maryland State Department of Education;
- Detailed annual reporting on funds raised, funding sources, scholarships awarded, administrative expenses, and participating schools; and,
- A surety bond or letter of credit sufficient to protect against financial mismanagement.
- Robust public reporting on student access and outcomes—not solely financial reporting. At a minimum, SGOs should report:
  - the number of scholarship recipients;
  - students' prior enrollment (public, private, homeschool);
  - grade levels served;
  - participation and retention rates; and, where applicable,
  - state assessment participation and graduation outcomes.

Reporting should be disaggregated by income level, disability status, race and ethnicity, and English learner status to allow the State to assess whether the program is serving students equitably.

If Maryland were to proceed, the Maryland State Department of Education must be granted explicit authority to investigate complaints, require corrective action, suspend or revoke SGO certification, and remove participating schools or providers that violate state standards or student protections. Regulations should establish a formal complaint process for families, clear timelines for investigation and resolution, and meaningful enforcement tools to ensure compliance.

### **Protecting Public Accountability**

Maryland's public schools operate under robust transparency, accountability, and civil rights obligations because they serve every child. Any entity receiving publicly subsidized scholarship funds should meet comparable standards.



Finally, if state leaders become inclined to consider participation, Maryland should delay any opt-in for at least a year or two to observe implementation in early-adopting states, assess whether public school students meaningfully benefit, and identify equity and oversight risks. That time should be used to enact comprehensive state-level guardrails in statute before participation begins, ensuring that accountability and student protections are established in law—not developed after funds begin flowing.

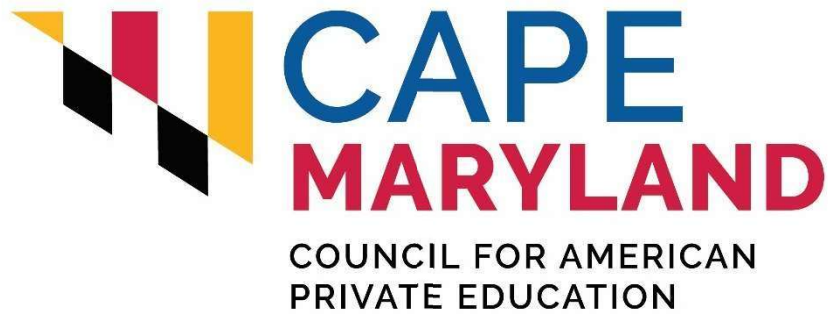
Senate Bill 329, as drafted, authorizes participation in a federal tax credit structure without embedding sufficient state-level safeguards to ensure fiscal integrity, protect student rights, and prevent discrimination.

**For these reasons, MSEA urges an unfavorable report on Senate Bill 329.**

**MDCAPE - SB 329 - INFO.pdf**

Uploaded by: Ariel Sadwin

Position: INFO



SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE

FEBRUARY 27, 2026

SENATE BILL 329

EDUCATION - CERTIFICATION OF SCHOLARSHIP GRANTING ORGANIZATIONS (OPTING IN ON OPPORTUNITY ACT)

INFORMATIONAL

Maryland CAPE is our state's chapter and one of 40 state chapters of the Council for American Private Education. Our network includes the Catholic, Christian, Evangelical Lutheran, Friends, Independent, Jewish, Lutheran, Montessori, Muslim, and Seventh Day Adventist school communities. We speak on behalf of over 138,000 nonpublic school students attending nearly one thousand nonpublic schools across our great state of Maryland.

As part of the federal reconciliation bill passed in July, the federal government established the Federal Scholarship Tax Credit (FSTC), in which federal taxpayers who donate to scholarship-granting organizations (SGOs) can claim a dollar-for-dollar tax credit for donations of up to \$1,700 dollars. Each state can elect to submit a list of qualifying SGOs within the state, to which donations will qualify for the credit.

Under the federal guidelines, funds collected by SGOs can be used for educational expenses for both public and nonpublic students. Acceptable uses include paying for tutoring, for special education expenses, for technology purchases, and a variety of other educational uses. It should, however, be noted that under the federal guidelines, the decision to "opt in" and submit a list of participating SGOs resides only with the state's governor or authorized state official.

Polling has found that Marylanders from both sides of the aisle strongly support utilizing this opportunity to direct funding to Maryland students, and we strongly believe Maryland should opt in. Thank you.

**MD Catholic Conference\_SB 329\_INFO.pdf**

Uploaded by: Garrett O'Day

Position: INFO



MARYLAND  
CATHOLIC  
CONFERENCE

February 27, 2026

**SB 329**

**Education - Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)**

**Senate Education, Energy & the Environment Committee**

**Position: INFORMATION ONLY**

The Maryland Catholic Conference offers this informational testimony for Senate Bill 329. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government. We also offer this testimony on behalf of the families of approximately 50,000 students served by over 150 PreK-12 Catholic schools in Maryland.

The Governor of Maryland should opt Maryland in to the federal education tax credit under § 25R of the Internal Revenue Code. This is an undisputable proposition, especially where A.) it costs the State of Maryland *zero dollars to opt into*, B.) the opportunity is for the *benefit of public, charter and nonpublic school students*; and C.) if Maryland does not opt in, Maryland dollars will leave Maryland for the benefit of students in other states.

By way of background, the new § 25R of the Internal Revenue Code was authorized in 2025, which could enable hundreds of millions of education dollars to flow to Maryland students. This tax credit allows individuals to receive a tax credit of up to \$1,700 on their federal tax return as an incentive to donating to a scholarship granting organizations, including public LEA foundations, for example. Those organizations can then give the funding to public, private and charter school students for educational expenses such as special education, tutoring, school tuition, summer and afterschool programs, and education technology. The Governor of each state must "opt in" to this opportunity formally through the IRS.

The Conference thus supports Senate Bill 329 whole-heartedly on a macro policy level. However, the structure of the bill presents some concerns. The federal education tax credit law dictates that the governor of each state shall make the election to opt their state in, something a majority of Governors nationwide have already formally done.

That federal law however makes no mention of state agencies or cabinet positions such as departments of education or state comptrollers. That is a fundamental flaw with Senate Bill 329. No authority or oversight of the Maryland State Department of Education or the state comptroller is allowed by federal law. It is entirely unnecessary to burden our state officials with a federal tax credit run by the Internal Revenue Service, particularly one that costs the state nothing to participate in.

For these reasons, we support the overall aim of opting Maryland into the federal education tax credit, but do not support the other provisions of this legislation for the reasons stated herein. Thank you for your consideration of this statement of information.

### **A Few Supplemental Notes on the Federal Education Tax Credit**

Here are a few noteworthy pieces of information on the federal education tax credit authorized by § 25R of the Internal Revenue Code:

- Democrats for Education Reform have estimated that, based on a mere 30% Maryland taxpayer participation, Maryland students could receive some \$550 million in education funding if Maryland were to opt in.
- A majority of Governors nationwide have already formally opted into this plan.
- This opportunity is widely supported by Maryland voters. Recent Gonzalez polling showed 78% support for Maryland opting into the the Federal Scholarship Tax Credit. This included 80% support by registered Democrats, 76% support by registered Republicans: 76% and 74% support by Independents. This support also included 80% support by Black voters and 77% support by White voters.

**Teach MD SB0329 Scholarship Testimony 2-25-26.docx**

Uploaded by: Mickey Rubin

Position: INFO



February 25, 2026

Education, Energy, and the Environment Committee  
The Honorable Brian Feldman, Chair  
The Honorable Cheryl Kagan, Vice Chair

SB 0329 – Education - Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)

Position: Information Only

Thank you for the opportunity to submit written testimony today.

Teach MD is the Maryland division of Teach Coalition (a project of the Orthodox Union), advocating on behalf of over 30 Jewish schools enrolling nearly 9,000 students within the state.

Education is a critical foundation of Maryland’s success. When students thrive, families are stronger, communities prosper, and the state’s workforce is better prepared for tomorrow’s economy. Ensuring students thrive should be a central priority.

According to the Maryland Comprehensive Assessment Program (MCAP) English Language Arts, Mathematics, and Science Assessment Results for the 2024-2025 school year, 50.8% of students are proficient in English Language Arts and 26.5% are proficient in mathematics.<sup>1</sup> In the last few years, Maryland has made measurable progress in student achievement, reflecting real effort by educators, families, and policymakers. At the same time, these results make clear that many students, particularly in mathematics, still need additional support to reach grade-level expectations.

The Maryland State Department of Education’s Strategic Plan 2025 acknowledges these challenges and outlines a path forward through Pillar 3: College and Career Readiness and Pillar 4: More Resources for Student Success.<sup>2</sup> Simply put, improving student achievement requires equipping students with the resources necessary for success. Students need targeted supports that meet their individual needs – whether those are tutoring, afterschool enrichment programs, technology access, or specialized services for students with disabilities.

We believe Maryland should opt into the new Federal Tax Credit Scholarship program. In doing so, the state would unlock a fully-federally funded revenue stream to support tutoring for students who are falling behind, enrichment for those who are excelling, test preparation for college placement exams, supplemental services for students with disabilities, and access to internet and computers for families facing financial hardship — all without drawing from Maryland’s education budget.

Expanding access to these supports can directly reinforce the State’s academic priorities and help accelerate gains in proficiency. At the same time, the program can reduce out-of-pocket expenses

<sup>1</sup> Maryland State Department of Education. (2025, August 26). *Maryland Comprehensive Assessment Program (MCAP) English Language Arts, Mathematics, and Science assessment results, SY 2024–2025*. <https://www.marylandpublicschools.org/stateboard/Documents/2025/0826/Maryland-Comprehensive-Assessment-Program-MCAP-2024-2025-A.pdf>

<sup>2</sup> Maryland State Department of Education. (2025). *Strategic plan 2025*. <https://www.marylandpublicschools.org/stateboard/Documents/2025/1209/Strategic-Plan-Update-A.pdf>

for families and districts. Because funding is generated through private donations incentivized by federal tax credits, new resources can flow to Maryland students without reducing existing state education funding.

And if Maryland does not opt in, Maryland taxpayers may still donate to organizations in other states, meaning the benefits of those federal tax credits would support students elsewhere rather than here at home.

While we support the intent of SB 0329, Teach MD does not believe that a statute is necessary for the state to opt in, or that we should impose additional administrative burdens or restraints onto the Maryland State Department of Education or the Comptroller.

We are confident the governor – who already has the power to opt in under federal law – will conclude that opting into the federal scholarship program is good for students, good for families, and good for the state.

Thank you.

# **Agudah - SB 329 - INFO.pdf**

Uploaded by: Rabbi Ariel Sadwin

Position: INFO



SENATE EDUCATION, ENERGY AND THE ENVIRONMENT COMMITTEE

FEBRUARY 27, 2026

**SENATE BILL 329**

**EDUCATION - CERTIFICATION OF SCHOLARSHIP GRANTING  
ORGANIZATIONS (OPTING IN ON OPPORTUNITY ACT)**

**INFORMATIONAL**

Agudath Israel of Maryland, the Mid-Atlantic regional office for Agudath Israel of America, a renowned national Jewish advocacy organization with chapters across the country, speaks on behalf of the Orthodox Jewish communities across Maryland, including our 30-some schools and thousands of students and families across the state. We offer this information regarding SB329.

As part of the federal reconciliation bill passed in July, the federal government established the Federal Scholarship Tax Credit (FSTC). Agudath Israel of America, our national affiliate, was deeply involved with the passage of this program. Under the rules of the program, federal taxpayers can claim a dollar-for-dollar tax credit for donations of up to \$1,700 dollars to eligible scholarship granting organizations (SGOs). Each state can elect to submit a list of qualifying SGOs within the state, to which donations will qualify for the credit. If the governor of the state elects not to submit a list of qualifying SGOs, taxpayers within the state can claim their credit by donating to an SGO located in another state, instead.

Under the federal guidelines, SGO scholarships can be used for educational expenses for both public and nonpublic students. Acceptable uses include paying for tutoring, for special education expenses, for technology purchases, and several additional educational uses. Polling has found that Marylanders from both sides of the aisle strongly support utilizing this opportunity to direct funding to Maryland students.

However, it should be noted that according to the federal guidelines, the decision to “opt in” and submit an SGO list shall be done by the governor of the state or designee provided by law. No authority or oversight position is granted to other state departments. Thank you.