

BILL: House Bill 1213
TITLE: Education - Broadening Options and Opportunity for Students and Teachers (BOOST) Program - Establishment
DATE: March 7, 2016
POSITION: OPPOSE
COMMITTEE: Ways and Means Committee
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The Maryland Association of Boards of Education (MABE), representing all of the State's twenty-four local boards of education, opposes House Bill 1213. MABE opposes this legislation because it would facilitate the funding of private and parochial tuition scholarships through a new program within the Department of Economic Competitiveness and Commerce. The BOOST program would be financed by purchases of tax credits against insurance premium tax liability or corporate income tax liability to provide scholarships to free and reduced price eligible students to attend nonpublic schools.

Today, the Governor and General Assembly are poised to adopt a state budget which will fully fund the Thornton Bridge to Excellence Act and assure adequate and equitable funding for Maryland's public schools in the 2016-2017 school year. Local boards of education greatly appreciate these efforts to sustain funding for public education in the face of budget constraints. However, as many of the bills pending in the 2016 legislative session demonstrate, there are substantial public education needs not being met. Additional state resources would contribute mightily to enhancing school facilities, school health resources, student and family services, and the pressing need to recruit and retain highly qualified educators.

Therefore, MABE and the local boards we represent believe strongly that Maryland should not create a new state-administered program within the Department of Commerce, including a new BOOST Fund and BOOST Authority, to provide grants to private and parochial schools and students attending these schools. MABE opposes this legislation because it proposes to launch a new program to inappropriately expend the energies and expertise of a state agency and its employees to run a voucher or voucher-like program for private and parochial schools.

The question is often raised whether these scholarships are vouchers, or at least substantially similar enough to vouchers to raise substantially similar objections. Maryland's local boards of education think so, for the following reasons. Traditional voucher programs typically involve direct payments of public funds to parents in the form of individual scholarships to send their children to private/parochial schools.

Tuition tax credit programs, and the tax credit certificate purchase program proposed by this legislation, involve offsetting tax revenues to the State's general fund and in turn distributing dollars to pay tuition costs for students attending nonpublic elementary and middle schools.

MABE and all local boards of education support strong public accountability measures for every public dollar spent on education. Programs in non-public schools, both non-sectarian and parochial, are not linked to federal, State or local accountability measures. In addition, non-public schools generally are not subject to the same legal regulations as public schools, such as special education laws and teacher certification regulations.

This accountability gap has been widened by the past decade's dramatic expansion of the federal government's role in mandating student and school performance goals for public schools. This trend continues, as local school systems implement the Maryland College and Career Readiness Standards and the related student assessment program. As the bar is continuously being raised for public school performance, a new state-run program should not be created to divert tax dollars to finance private and parochial schools.

House Bill 1213 would not require nonpublic schools benefitting from the services and finances provided by the new state administered BOOST program to agree to not discriminate in their employment practices, on any basis; nor to agree to accept more than 5% students eligible to receive free and reduced price meals.

Local boards of education urge the General Assembly to continue to invest taxpayer dollars, and state agency resources, in supporting our public schools – schools with open doors to all of Maryland's children every day – schools which are recognized nationally for excellence across the spectrum of programs from high quality early education programs to equitable access to rigorous academic offerings in high school.

For these reasons, MABE urges an unfavorable report on House Bill 1213.