

**BILL:** House Bill 100  
**TITLE:** Budget Bill (Fiscal Year 2020)  
Maryland State Department of Education –  
Funding for Educational Organizations  
**DATE:** January 30, 2019  
**POSITION:** OPPOSE the BOOST Program and Proposed Funding Amount (R00A03.05)  
**COMMITTEE:** House Appropriations - Education and Economic Development Subcommittee  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports the adoption of a State Budget that fully funds public elementary and secondary education in FY 2020, and requests the elimination of the \$10 million in funding proposed for the Broadening Options and Opportunities for Students Today (BOOST) private school voucher program.

Since 2016, the State Budget has inappropriately provided millions of dollars in special funds from the Cigarette Restitution Fund to fund a private school voucher program. MABE believes that based on the performance of this program and the competing priority of meaningful increases in state aid for public education, the BOOST program should be eliminated and the millions in funding shifted to public education priorities.

In 2016, the State Budget Bill was amended in conference committee to establish the \$5 million BOOST Program to provide vouchers for students who are eligible for the free or reduced-price lunch program to attend eligible nonpublic schools. To be eligible to participate in the BOOST program, a nonpublic school must participate in the Aid to Non-Public Schools Program for textbooks and computers administered by MSDE; and comply with Title VI of the Civil Rights Act of 1964; the State Government Article; and not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation.

MABE continues to strongly oppose the establishment of the BOOST program as an unwarranted expansion of the State's direct public funding of private and parochial education. In addition, the program has been found to be funding schools with discriminatory practices in violation of the law's limited provisions intended to prevent any public dollars contributing to such schools.

Generally, nonpublic schools, including non-sectarian and parochial schools, are not subject to the same legal regulations as public schools, such as special education laws and teacher certification regulations. A limited but notable exception is the array of nonpublic special education schools serving public school students. However, the vast majority of nonpublic school programs are not linked to state or federal student performance accountability measures, or special education provisions of the federal Individuals with Disabilities Education Act (IDEA). In addition, many parochial schools instruct their students in particular religions, a practice that is unconstitutional in public schools and which public funds may not directly support.

For these reasons, MABE requests the rejection of the funding amount proposed in the pending MSDE Headquarters budget and the removal of the BOOST program in its entirety from the State Budget.