

BILL: House Bill 295
TITLE: Nonpublic Elementary and Secondary Schools - Discrimination - Prohibition
DATE: February 14, 2019
POSITION: SUPPORT
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the state's local boards of education, supports House Bill 295.

This bill would prohibit a nonpublic elementary or secondary school that receives State funds from discriminating in ways already clearly prohibited for public schools. Types of prohibited discrimination would include refusing enrollment of, expelling, withholding privileges from, or otherwise discriminating against any student or prospective student because of the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability.

To be clear, MABE would not seek the application of such anti-discrimination provisions to nonpublic schools in general. However, in light of the State's decisive movement toward public funding for private and parochial schools through a state financed voucher program, the \$3.5 million Broadening Options and Opportunities for Students Today (BOOST) program, such alignment between public and nonpublic schools is called for. House Bill 295 will ensure that Maryland taxpayers whose dollars are being allocated to nonpublic and religiously affiliated schools know these schools are complying with the same reasonable scope of antidiscrimination provisions applying to other publicly funded schools.

The bill would clearly establish that such acts are "unlawful education practices" and establishes remedies for violations through complaints filed with the Maryland Commission on Civil Rights (MCCR). The bill also establishes that if a nonpublic elementary or secondary school receives State funds, State law provisions regarding employment discrimination apply with respect to the employment of individuals who are not ministerial employees.

Again, in this way House Bill 295 will provide assurances for all Marylanders that their tax dollars are being allocated to private and parochial schools which must comply with fundamental anti-discrimination standards applicable to both students and staff.

For these reasons, MABE requests a favorable report on House Bill 295.