

SB98
County Boards and Public and Nonpublic Prekindergarten Programs and Schools -
Discrimination - Prohibition

Favorable with Amendments

Judicial Proceedings
Testimony of Joel Hurewitz
Columbia, MD
January 28, 2021

Amendments are needed to SB98 to expand the scope of the discrimination prohibitions to include private or parochial busing provided by a local board of education.

As shown in the attached memorandum from the Howard County Public School System (HCPSS), Howard County has had a law providing for parochial busing since 1943.

In 2018, Bethel Christian Academy was removed from Maryland State Department of Education programs because of its alleged violation of the anti-discrimination provisions. See attached “In First Round of Maryland School Voucher Lawsuit, Court Denies Christian School’s Reinstatement,” *Baltimore Sun*, February 7, 2020. However, under SB98 Bethel Christian would remain eligible for the parochial busing provided by Howard County.

Furthermore, the Howard County law states three times that the parochial busing is provided to “schools not receiving State aid.” The legal significance of these provisions have apparently been missed by Howard County and HCPSS for at least the past two decades; a parochial school should not receive both parochial busing and State aid such as BOOST scholarships or Nonpublic Aging School Program monies. Thus, under a careful reading of the Howard County law, Bethel Christian has ironically actually become legally eligible for the Howard County parochial busing because it is no longer receiving State aid because of its alleged violation of the anti-discrimination provisions.

Therefore, the scope of the bill should be expanded to close this parochial busing loophole.