



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 218

H.P. 141

House of Representatives, January 21, 2025

**An Act to Make Student Transfer Agreements Renew Automatically
Except in Certain Circumstances**

Received by the Clerk of the House on January 16, 2025. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HASENFUS of Readfield.
Cosponsored by Representative: ARATA of New Gloucester.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §5205, sub-§6, ¶C,** as enacted by PL 1981, c. 693, §§5 and
3 8, is repealed.

4 **Sec. 2. 20-A MRSA §5205, sub-§6, ¶C-1** is enacted to read:

5 C-1. A transfer approved under this subsection must continue to be considered in the
6 best interest of the student and must be automatically renewed on an annual basis unless
7 the superintendent of the school administrative unit to which the student transferred
8 determines that:

9 (1) The student's attendance is irregular;

10 (2) The student is disruptive in class, at school or at school activities;

11 (3) The student does not use best efforts to succeed in class; or

12 (4) Based on the available facts, data and evidence, the transfer is no longer in the
13 best interest of the student.

14 If a superintendent makes a determination under this paragraph, the superintendent of
15 the school administrative unit from which the student transferred and the
16 superintendent of the school administrative unit to which the student transferred shall
17 review the transfer and the transfer may be discontinued. If a determination is made to
18 discontinue the transfer, the superintendent of the school administrative unit to which
19 the student was transferred shall notify the student and the student's parent of the
20 determination and the facts, evidence and data used to make the determination. At the
21 request of a parent, a determination to discontinue the transfer may be reviewed by the
22 commissioner under paragraph B.

23 SUMMARY

24 This bill repeals the provision in current law requiring superintendents to annually
25 review transfers of students to a school administrative unit other than the one in which the
26 student has permanent residence. The bill provides that such transfers must be
27 automatically renewed on an annual basis unless a superintendent determines that the
28 student's attendance is irregular, the student is disruptive, the student does not use best
29 efforts to succeed in class or the transfer is no longer in the best interest of the student.