



Testimony in Opposition to LD 628:

“An Act Regarding Eligibility to Apply for a Department of Education Diploma”

Senator Rafferty, Representative Murphy, and the distinguished members of the Committee on Education and Cultural Affairs, my name is Harris Van Pate, and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to testify in opposition to LD 628, "An Act Regarding Eligibility to Apply for a Department of Education Diploma."

Background

In 2021, the Maine Legislature passed a temporary law allowing students affected by the COVID-19 pandemic to apply for a Maine Department of Education diploma if they were unable to satisfy their local School Administrative Unit's (SAU) requirements due to a significant interruption in education caused by the pandemic. This law had an automatic expiration date in 2023. However, in 2023, the Legislature extended the policy through September 2026 with another temporary measure.

During this time, bills were proposed to implement this policy indefinitely without a repeal date or specific subject matter limitations.¹ These efforts failed to pass legislative scrutiny, receiving an "Ought Not to Pass" vote from the Committee on Education and Cultural Affairs in 2023. While the upheaval of the COVID-19 pandemic undoubtedly disrupted many students' education, it remains the state of Maine's responsibility to ensure that students receive a quality education and meet appropriate academic standards upon graduation.

The Problems with LD 628

The original law was at least limited in timeline and scope. However, LD 628 removes these guardrails, allowing the Commissioner of Education excessive discretion to waive local graduation requirements for vague and subjective reasons. The bill's language regarding "significant interruption" is too broad and may be exploited to bypass essential educational benchmarks.

If passed, LD 628 would grant the Commissioner of Education undue authority to override local graduation standards arbitrarily. This could lead to inconsistent application across school districts and create a loophole for avoiding accountability in Maine's declining educational performance compared to other states.

¹ https://www.mainelegislature.org/legis/bills/display_ps.asp?ld=1164&PID=1456&snum=131



Undermining Educational Standards

Maine's schools serve a fundamental role in preparing students for higher education, careers, and responsible citizenship. Allowing the Department of Education to override graduation requirements will diminish these institutions' ability to function effectively. Instead of working to improve Maine's struggling academic performance, this bill risks further weakening our educational system by permitting politically motivated or arbitrary decision-making regarding diploma eligibility.

Maine's students deserve a diploma that reflects their genuine academic achievements, not one granted through administrative fiat. High school graduation should signify preparedness and competence, and LD 628 would erode these essential benchmarks, devaluing the diplomas earned by Maine students.

Conclusion

LD 628 is an unnecessary and unwise policy change that would weaken Maine's public education system. This bill undermines accountability and educational integrity by allowing a single state official to override graduation standards for vague reasons. Maine Policy Institute urges this committee to reject LD 628 and focus on policies that uphold academic rigor and student achievement rather than lowering the bar for graduation. For these reasons, we respectfully urge the Committee to vote "Ought Not to Pass" on LD 628. Thank you for your time and consideration.