



To: Maine Committee on Education and Cultural Affairs

From: Jude Schwalbach, Senior Policy Analyst, Reason Foundation

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My name is Jude Schwalbach, and I'm a senior education policy analyst with Reason Foundation, a national 501c(3) nonprofit policy research organization. I'm testifying on [Maine House Paper \(H.P.\) 375, Legislative Document \(L.D.\) 607](#).

Maine H.P. 375, L.D. 607 would make it easier for students to find a public school that best fits their needs. The legislation would let students attend public schools outside their district if space is available. If the receiving district doesn't have the capacity to accommodate a transfer applicant, its superintendent must notify the rejected applicant as to why they were denied.

Overall, it's a strong bill since students could attend any public school with open seats, benefiting both families and school districts.

However, H.P. 375, L.D. 607 also falls short in important ways. The proposal doesn't explicitly stop school districts from discriminating against applicants based on their disabilities or abilities. Moreover, the proposal strikes language that would let rejected applicants appeal their denial to the commissioner of education or state board of education. Denied applicants should be able to appeal their denial to at least one of these entities.

Additionally, the proposal could be strengthened by ensuring the transfer process is transparent at the state and district levels. School districts should be required to post their transfer policies and available capacity on their websites so families know when, where, and how to apply. The Maine Department of Education should also collect and publish district-level transfer data, including the number of transfers, rejected transfers, and why they were denied. These data help families better understand the available public school options and show policymakers and taxpayers enrollment trends.

Strong open enrollment laws ensure that students can attend schools that are the right fit. Many students use these programs to enroll in [A or B-rated school districts](#). Others use it to [escape](#)

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[bullying](#), access [Advanced Placement \(AP\) courses](#) and specialized learning models, have [smaller class sizes](#), or shorten their [commutes](#).

K-12 open enrollment is popular with both parents and voters. According to national polling released by [EdChoice](#) in February 2025, open enrollment is supported by 74% of school parents. It also enjoys bipartisan support: 77% of Democrats and 74% of Republicans favor allowing families to attend schools across district lines. This is why open enrollment bills signed into law in Idaho, Montana, and West Virginia during the 2023 legislative sessions enjoyed [significant bipartisan support](#).

Open enrollment can [benefit rural districts](#), helping them boost enrollment. During the 2021-22 school year, Wisconsin districts gained nearly 2,500 students on net. Districts in Wisconsin's towns and rural locales gained the lion's share of transfers at 52%.

California's Legislative Analyst's Office's [2016](#) report and [Reason Foundation's 2024 report](#) both show that the competitive effects of open enrollment can encourage districts to improve. In a [2023 EdChoice report](#), district administrators in Arizona, North Carolina, Indiana, and Florida stated that open enrollment encouraged them to innovate by creating or improving existing programs to attract and retain students.

Adopting a robust open enrollment policy in Maine would help ensure that public schools are available to all students and empower families to find public schools that are the right fit.