



## **Testimony in Support of LD 218:**

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

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 provide testimony in support of LD 218, "An Act to Make Student Transfer Agreements Renew Automatically Except in Certain Circumstances."

## **The Benefits of LD 218**

LD 218 is a much-needed measure that prioritizes stability and consistency in the education of Maine's students. Under the current system, families face unnecessary uncertainty regarding student transfer agreements which can lead to disruptions in learning and personal development. By ensuring that these agreements renew automatically, LD 218 reduces administrative burdens, streamlines the transfer process, and allows students to remain in an environment where they thrive.

Consistency in education is critical to academic success. Frequent changes in school placements can negatively impact a student's academic performance, social integration, and emotional well-being.<sup>1</sup> LD 218 acknowledges this by eliminating unnecessary bureaucratic barriers and allowing students to focus on their learning rather than being subjected to unpredictable administrative decisions.

This bill also empowers families by giving them greater control over their children's education. Parents often choose transfers because they have determined that a different school is a better fit for their child's individual needs. Automatically renewing these agreements fosters parental involvement in education and ensures that students are not arbitrarily forced back into a school environment that may not best serve their interests.

Additionally, this bill will alleviate the administrative workload for school districts by reducing the number of transfer renewals that must be reviewed individually each year. By focusing resources on other critical areas, schools can better serve students and improve the quality of education across the state.

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[https://pmc.ncbi.nlm.nih.gov/articles/PMC4139923/#:~:text=Previous%20studies%20also%20indicate%20that,et%20al.%2C%202009\).](https://pmc.ncbi.nlm.nih.gov/articles/PMC4139923/#:~:text=Previous%20studies%20also%20indicate%20that,et%20al.%2C%202009).)



## **Recommended Amendments to LD 218**

While we strongly support LD 218, we believe the bill should be modified in four key areas to prevent unnecessary discretion and ensure fairness in its implementation:

1. **Clarification on Attendance-Based Denial** – The current provision allows a superintendent to deny renewal based on poor attendance. However, we recommend that if a student's attendance has improved relative to their prior school, then denial should not be permitted. This would ensure that students who are making progress are not unfairly penalized.
2. **Improvement of the "disruptive student" Clause** – The bill allows superintendents to deny renewal if a student is deemed "disruptive in class, at school, or at school activities." This language is overly broad and subjective. We recommend replacing this provision with a clearly defined and documented standard for significant behavioral issues, such as one requiring a minimum frequencies of behavior-based detentions (i.e. non-attendance based).
3. **Removal of the "best efforts" Clause** – The bill allows superintendents to deny renewal if a student is deemed to not use their "best efforts to succeed in class." This language is overly broad and subjective. We recommend removing this provision entirely due to the incredible vagueness of the clause.
4. **Elimination of the "best interest" Discretion** – The current bill allows denial if the superintendent determines that "the transfer is no longer in the best interest of the student." This clause is highly subjective and risks arbitrary decision-making. We propose that any decisions regarding a student's best interest include parental input and be based on measurable, objective criteria. The purpose of this clause's existence is unclear, as the parents are likely better qualified to determine a student's best interests rather than a distant school district administrator like the superintendent.

## **Conclusion**

LD 218 is an important step toward ensuring that Maine students receive a stable and predictable education. However, we urge the committee to consider these modest but essential amendments to further protect students and families from undue administrative discretion. Thank you for your time and consideration.