

TESTIMONY IN OPPOSITION TO

L.D. 512

AN ACT TO PROVIDE EDUCATIONAL OPPORTUNITIES FOR STUDENTS IN SECONDARY
SCHOOLS WITH 200 OR FEWER STUDENTS

March 12, 2025

Senator Rafferty, Representative Noonan Murphy and members of the Education and Cultural Affairs Committee. I am Steven Bailey, the executive director for Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and the Maine School Superintendents Association in opposition to L.D. 512.

Article VIII of the Maine Constitution states:

"Education. Section 1. Legislature shall require towns to support public schools; duty of Legislature. A general diffusion of the advantages of education being essential to the preservation of the rights and liberties of the people; to promote this important object, the Legislature are authorized, and it shall be their duty to require, the several towns to make suitable provision, at their own expense, for the support and maintenance of public schools."

Additionally, Title 20-A MSRA § 5202 speaks to Residence and where a student is eligible to attend.

"2. General rule. A person is eligible to attend schools in the school administrative unit where the person's parent resides, where the person resides upon reaching the age of 18 years or upon becoming an emancipated minor. A federal installation shall be considered part of the school administrative unit in which it is located."

Families live where they choose to reside. Very often that decision includes where they wish their children to attend school. Schools are the lifeblood of the community and so often are the identity of the community. Given the desire for local control, following the requirement to join together after the 2008-2009 school consolidation bill, there have been at least 33 school district divorces where a smaller district has successfully separated from a forced marriage during the period of consolidation.

This was a desire by the community for local control, to have control over their own expenditures, and to retain the individual identity where they can express the community pride they wished to display. Local schools are community institutions and serve an important purpose, as a gathering place and center of community life. As of this writing there are 20 public secondary schools with less than 200 students (grades 9-12). They are the lifeblood of their communities, many that are multiple miles from any other opportunity to attend a public secondary school.

L.D. 512 is clearly a school choice bill, providing parents of a student within a secondary school with fewer than 200 students to enroll their child within a secondary school of their choice different from their resident school. If this bill were to pass, a resident town would be required to pay tuition to the receiving school

administrative unit, sending valuable and limited funds away from the resident district. The option available now for parents and students is to request a superintendent's agreement, and should both superintendents agree, the student can attend the requested school. This process works. It balances the needs of a student or family with the needs of the local school district. And crucially, it preserves local control.

Given the responsibility of the town to provide, at their own expense, for the education of the students that reside within their municipality, losing just a few students could be the beginning of a death knell for smaller districts. This bill could effectively force a district to lose state funding, which could keep it alive, and send it to another district instead. Our laws clearly dictate that local school districts have the responsibility of caring for local children, and we believe it should stay that way.

The legislative committees of MSSA and MSBA urge you to vote Nay on L.D. 512.