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Testimony of Rep. Tavis Hasenfus introducing
**LD 218, An Act to Make Student Transfer Agreements Renew Automatically
Except in Certain Circumstances**
Before the Education and Cultural Affairs Committee

Good morning, Senator Rafferty, Representative Murphy and members of the Education and Cultural Affairs Committee. My name is Tavis Hasenfus, and I represent House District 57, which is the communities of Readfield and Winthrop. I am here before you today to introduce **LD 218, An Act to Make Student Transfer Agreements Renew Automatically Except in Certain Circumstances.**

This intent of this bill is to provide transfer students with the assurance that, so long as they actively participate in their education in a respectful manner, their agreements will not be rescinded.

Current law allows for a school transfer agreement and provides that:

6. Transfer students. The following provisions apply to transfers of students from one school administrative unit to another.

A. Two superintendents may approve the transfer of a student from one school administrative unit to another if:

- (1) They find that a transfer is in the student's best interest; and
- (2) The student's parent approves.

Currently, these agreements require families to renew them annually. This bill proposes we eliminate the annual renewal requirement and have such agreements last as long as the child remains enrolled in the receiving school. In approving the agreement, it has already been determined that the transfer is in the student's best interest. Therefore, it logically follows that unless the student has had a substantial change in circumstances, continuing the agreement would continue to be in the child's best interest.

You may hear that this bill is problematic as superintendent agreements were not intended to be for more than one year. However, in practice these agreements are annually renewed, and many

students, and their families, have begun to expect it to continue to be renewed year after year. Moreover, once a transfer determination has been made to a receiving district, maintaining the status of the agreement will likely be in the child's best interest. Maintaining continuity for students is of incredible importance for a stable learning environment. Moving schools can be traumatic for many students and significantly set them back both educationally and emotionally.

A superintendent agreement is just that, an agreement, and both parties have obligations. It is patently unfair to allow one party to terminate the agreement when circumstances outside of the child's control might make the agreement less convenient, such as when additional students move into the district and increase class sizes. Though it may reduce a class size by one student if there is an influx of students one year, forcing that child away from his or her friends, teachers and community is certainly not in the best interest of that child and will certainly cause a hardship on the child in the course of their education.

A receiving school should absolutely have the option to terminate an agreement, but not when the cause of the termination was outside of the student's control. The student should be accountable for his or her actions, but should not be viewed as dispensable when budgets get tight, class sizes increase, pandemics arise or for any other reason not related to the student.

As I mentioned earlier, a transfer agreement places obligations on the student, not just the receiving school. I took care in crafting this bill to make sure that a student has obligations to be an active, respectful and responsible participant in their learning and that of their fellow classmates. If the student's part of the agreement is not met, the agreement should be terminated as is appropriate. This bill provides for this scenario.

This bill is designed to ensure that students who have established themselves in a healthy learning environment cannot be denied the opportunity to return because of factors outside of their control. I believe it is a reasonable request to ensure consistency and stability for our students. I am more than willing to work with the committee on any amendments desired and as always am available for questions.