

TESTIMONY IN OPPOSITION TO

L.D. 607

AN ACT TO REQUIRE THE APPROVAL OF SUPERINTENDENT
AGREEMENTS REGARDING TRANSFERS OF STUDENTS BETWEEN
SCHOOL ADMINISTRATIVE UNITS

April 2, 2025

Senator Rafferty, Representative Noonan Murphy, and esteemed members of the Education and Cultural Affairs Committee, I am Robbie Feinberg, the director of communications and government relations for the Maine School Management Association. I'm testifying on behalf of the legislative committees of the Maine School Boards Association and the Maine School Superintendents Association in strong opposition to L.D. 607, An Act to Require the Approval of Superintendent Agreements Regarding Transfers of Students Between School Administrative Units.

L.D. 607 seeks to undermine the student transfer process and effectively turn it into a statewide school choice program, imposing a statewide mandate, removing local control, and upending school budgets.

The student transfer process has been used for decades in Maine schools, and it is important to note that it is clearly working effectively for thousands of families across our state. According to the Maine Department of Education, nearly 4,000 superintendent agreements were approved by local school districts during the most recent school year, while only about 100 transfer appeals were eventually denied.

This is clear evidence of the ongoing, close collaboration and communication that is occurring across our state between school districts and families to ensure that each child is offered an educational experience that is in their best interest. When considering a transfer, administrators discuss each specific family circumstance: why a transfer may be needed, what opportunities would be afforded through such a transfer, and what the effects of the transfer would be on schools and community programming. This process rightly balances the needs of students and families with the capabilities of schools.

This bill would eliminate that process and instead reduce the conditions of a transfer to only one factor: that a receiving school district must have "adequate physical space to enroll the student and enrolling the student would not require additional staff." It states that "two superintendents shall approve the transfer of a student from one school administrative unit to another if the student's parent approves," leaving the only decision by the superintendent to be the space considerations and if there is sufficient staff.

This does not account for a wide breadth of other factors that schools must consider before approving a transfer request. Students have pre-existing relationships with teachers, staff and peers. Support services, programming, special education, and other factors differ from one district to the next. Superintendents must

look at this entire educational picture before deciding if a transfer is truly in a student's best interest. None of this would be considered if L.D. 607 became law.

We also expect this bill would have significant financial impacts across the state. Some districts would likely lose students – potentially threatening the sustainability and vitality of smaller, rural schools. Other districts would see class sizes climb, potentially making it harder to maintain programming for their own community's students.

We also have clear evidence that similar past efforts to L.D. 607 have not worked in Maine. About a decade ago, Maine's Education Commissioner, in an effort to promote school choice, openly encouraged¹ families to appeal any denial of a student transfer request by a local superintendent. The commissioner then overturned almost all of these denials, removing local control and leading to the eventual approval of nearly all transfer requests. This resulted in students moving from district to district – with few state guardrails on the process – leading to budgetary and logistical challenges in schools and classrooms.

Both Democratic and Republican lawmakers saw that this was not fair to local schools or taxpayers. And in an overwhelming, bipartisan fashion, the legislature approved a series of measures that closed these loopholes by adding the State Board of Education as an additional level of oversight to the transfer agreement process.

L.D. 607 would introduce many of the same challenges that our school districts dealt with – and legislators opposed – more than a decade ago. It would also specifically get rid of the bipartisan legislative fixes that were unanimously supported in both the Maine House and Senate. We do not think it is wise to overturn those decisions and return to that chaotic situation.

Our members do feel like there are parts of the student transfer process that need modifying, but this bill is not the solution. In fact, beginning last year, MSSA began meeting with the DOE and the State Board of Education to improve the transfer process. Later this session, you will see the result of that work: a bill that our groups believe would encourage more communication between school districts and parents and provide additional clarity and transparency for families. We believe that this agreement maintains local control and will allow our school administrators to appropriately balance the needs of students, families, and their school districts in a way that will serve the best interest of every child.

That agreement was the result of months of deliberation, and we believe that it is the appropriate step towards reforming this process – not turning superintendents' agreements into a de facto school choice program that would ignore local control. We strongly urge you to vote "ought not to pass" on L.D. 607.

Thank you for your consideration. I am happy to take any of your questions, but I will also note that local superintendents are here and some have submitted testimony, and they are better equipped to provide more insight into the individual details of student transfer agreements.

¹ <https://mainedoenews.net/2013/10/09/school-transfer-decisions-refocused-on-best-interest-of-students/>