

TESTIMONY IN SUPPORT OF

L.D. 1719

AN ACT REGARDING SUPERINTENDENT AGREEMENTS FOR TRANSFER STUDENTS

May 6, 2025

Senator Rafferty, Representative Noonan Murphy, and members of the Education and Cultural Affairs Committee, I am Robbie Feinberg, the director of communications and government relations 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 strong support of the amended version of L.D. 1719, An Act Regarding Superintendent Agreements for Transfer Students.

The language you see in front of you is the result of several months of careful, considerate discussion between superintendents and the State Board of Education, seeking to address challenges in this process that we believe have hindered collaboration between schools and families.

As we have shared in our testimony on other bills around student transfers this session, our schools seek to work closely with families to address student needs. The numbers bear this out: in the most recent school year, nearly 4,000 transfer agreements were approved between school districts and families. Only 130 denials were appealed to the commissioner – representing a tiny percentage of overall agreements.

However, we believe the current transfer law can be strengthened. The statute is vague, leaving open to interpretation some key understandings from district to district. Many districts have also been frustrated when the State Board has voted to overturn a transfer request due to information that a school leader may know is incorrect, but that they are unable to rebut.

All of this leads to uncertainty and frustration. L.D. 1719 makes careful changes that we feel will encourage more thoughtful collaboration while respecting local decision-making.

- It promotes more **communication and transparency** between school officials.
- It **holds superintendents to a higher standard** by requiring more information to be shared about why a transfer was denied.
- It **respects the best interests** of all students and schools.
- And it amends the appeal process to require more **disclosure and transparency** while **respecting local control and decision-making**.

The most prominent change in this bill is that it more carefully defines and outlines the student transfer process. Superintendents are already very deliberate and thoughtful in this process. Throughout this session, you've already heard from school leaders who've detailed the many factors they take into account when considering a student transfer request: individual student needs, educational stability, family situations, school culture, and school and staff capacity.

However, we know of certain situations where school officials or parents have been frustrated by a lack of communication and outreach. L.D. 1719 fixes this issue by establishing clear responsibilities and deadlines within the student transfer process, requiring more information and discussion between districts, and between a school and family. In addition, a superintendent cannot simply state that their disapproval of a request is solely because “students should attend school in the place where their parent resides” – more pertinent and detailed information is needed on the student’s individual situation and the impacts to students across the entire school community. Combined, we believe these changes will create a more standardized, timely and open process – better for school officials and families alike.

Secondly, this bill adjusts the transfer appeals process, adding additional transparency, accountability, and trust in local decision making. If two superintendents disagree about a transfer request, and a parent appeals, the process would remain the same, with the commissioner ultimately deciding whether to approve the request based on the best interest of the student and the school community.

However, if both superintendents deny a request, the commissioner will look at whether the superintendents reached their decision in a way that is “arbitrary or unreasonable.” This respects local decision-making while actually requiring more accountability from superintendents. This language requires that superintendents follow the transfer request process faithfully, and that they must clearly demonstrate to parents that they thoroughly considered a request, communicated with the family and other school officials, evaluated the resources and needs of the student and school community, and determined in a reasonable manner if they could accommodate that request. If this is not followed, the denial can be overturned. L.D. 1719 also maintains two levels of appeals and oversight – at the commissioner and the State Board levels.

We believe that combined, these changes will encourage more communication and collaboration between schools and families up front – hopefully leading to stronger relationships between schools and families and less need for appeals later on.

Superintendents see the student transfer process from the district level. The State Board of Education has a different perspective – it hears from families dissatisfied with this process and looking for a decision to be overturned. Our groups believe that by working together, we have developed an agreement that addresses the concerns that superintendents and the State Board have seen over the years, helping to smooth out this process and encouraging a spirit of transparency and accountability. We believe this will build on the thorough, deliberate, thoughtful approach that superintendents already take and build stronger connections between families, schools, and state officials. Please respect the hard work of educators and school officials across Maine and support L.D. 1719.

Thank you very much, and I am happy to take any questions you may have.