



MAINE
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ASSOCIATION
PUBLIC EDUCATION ADVOCATES

49 Community Drive, Augusta, ME 04330
Telephone: (207) 622-3473 Fax: (207) 626-2968
Website: www.msmaweb.com



Maine School Superintendents Association

TESTIMONY IN SUPPORT OF

L.D. 2114

AN ACT REGARDING PUBLIC PRESCHOOL PROGRAMS SERVING CHILDREN WHO ARE 3 YEARS OF AGE

January 22, 2026

Senator Rafferty, Representative Murphy, and members of the Education and Cultural Affairs Committee, I am Robbie Feinberg, 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 Maine School Superintendents Association and I am offering testimony in qualified support of L.D. 2114, An Act Regarding Public Preschool Programs Serving Children Who are 3 Years of Age.

Much of the language in this bill appears to be cleanup that better reflects the state's current realities for educating our young children. More districts are opening up public preschool programs – either on their own or in conjunction with community partners. At the same time, dozens of districts have begun the process of taking on the responsibility of educating 3- to 5-year-old children with disabilities – an important step that has already led to improved access to services for our youngest learners.

L.D. 2114 would appear to support that continued transition by allowing available public preschool start-up funding to also be used to help districts launch programs for young children with disabilities. Our districts need support in this transition, and any additional state funding would help schools expand classroom space, purchase equipment, and hire staff members.

Local school leaders' only concern regarding this bill is on Page 2, Line 42, which reads:

Sec. 13. 20-A MRSA §5201, sub-§2, ¶D is enacted to read:

D. A person who will be at least 3 years of age on October 15th of the school year and is not identified as a child with a disability pursuant to section 7001, subsection 1-B, may enroll in a public preschool program if it is available and the program provides instruction to children who are 3 years of age.

Several superintendents expressed concern that this language could be interpreted to mean that if a school district has a program providing instruction for any children who are 3 years of age – even if the program is only providing instruction to 3 year old's with disabilities – the district would then be required to enroll any 3 year old in the program – including those without disabilities.

This situation would clearly not be feasible for Maine districts. They would, in effect, be forced to take on the responsibility of providing preschool programming for any 3-year-old, without requisite state funding, if they want to launch district programming for young children with disabilities. We believe the below language change would help to clarify the bill:

D. A person who will be at least 3 years of age on October 15th of the school year and is not identified as a child with a disability pursuant to section 7001, subsection 1-B, may enroll in a public preschool program if it is available and the program provides instruction to children who are 3 years of age and have not been identified as a child with a disability.

We have spoken with the Maine DOE about this change, and the agency's representatives agreed that wording would better align with the bill's intent and would help avoid any confusion.

If that change is made, our associations support L.D. 2114 and believe it will further support local districts as they take on FAPE responsibilities for 3-to-5-year old's.

Thank you for your consideration, and I am happy to answer any questions you may have.