

TESTIMONY NEITHER FOR NOR AGAINST

L.D. 2212

AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS FROM THE GENERAL FUND AND OTHER FUNDS FOR THE EXPENDITURES OF STATE GOVERNMENT AND CHANGING CERTAIN PROVISIONS OF THE LAW NECESSARY TO THE PROPER OPERATIONS OF STATE GOVERNMENT FOR THE FISCAL YEARS ENDING JUNE 30, 2026 AND JUNE 30, 2027

February 20, 2026

Senator Rotundo, Representative Gattine, Senator Rafferty and Representative Murphy, and members of the Appropriations and Financial Affairs and Education and Cultural Affairs Committees, 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 Maine School Superintendents Association neither for nor against L.D. 2212. Traditionally, our organizations do not offer a position on budget proposals, but we wanted to provide comment on a few sections that we hope can inform your work.

Maine's Continued Commitment to Providing 55 Percent of Local Education Costs

We are thankful for the Governor's and legislature's continued commitment to meeting its obligation of 55 percent of local education costs. Nearly every community in Maine faces similar challenges -- rising local property taxes that are straining household budgets. During these financially stressful times, the state's continued investment in education has never been more important. Adequate state funding means less stress on municipal budgets. And it means fewer school districts are forced into difficult decisions, such as reductions in force. We commend Gov. Mills for continuing to invest in our schools, and we urge your committees to maintain that investment.

School leaders also support the Governor's initiatives to:

- **Spend \$5.9 Million to Retrofit all Maine School Buses with Crossing Arms and Anti-Pinch Door Sensors:** This will help to ensure the safety of every child when they head to school each day and head home at day's end.
- **Section QQQ-2: Making Maine's Free Community College Program Permanent:** Giving more students access to education after high school will encourage more to finish high school – and help more students stay in Maine.

Part SSS (Minimum Teacher Salary Increases)

As Maine's school leaders, we want teacher salaries to be more competitive. The research is clear – higher teacher compensation leads to less turnover and better student achievement.

Some local school board members continue to have concerns regarding how much a \$50,000 minimum teacher salary – and resulting increases for teachers who are higher on the salary scale – could further

increase local school budgets and property taxes. At the same time, school officials believe that educators must be paid more to address the state's education workforce crisis. Many teachers cannot afford to live where they work. This is not okay, and those within our schools believe that increasing teacher salaries is a needed step if we want the best educators in front of our children every day -- and if we want to entice prospective educators to enter—and remain in—the profession.

Our Associations do have one request for a language change to this part of the bill. As you heard from Commissioner Makin, the current bill before you does not include, at the moment, key language from L.D. 34 (the minimum teacher salary bill currently on the Appropriations Table) requiring the state to provide supplemental funds to help districts reach the proposed minimum salary levels each year. These supplemental funds, estimated at approximately \$25 million over three years, are critical for our smaller, rural districts. It represents a continued, steadfast commitment, and it will ensure that these communities can boost teacher pay without large property tax hikes.

Our school leaders appreciate that the Governor's Office is committed to including that language moving forward, and **we urge your committees to include that language in any final agreement.**

Below is some draft language adapted from L.D. 34 that we would like to see added:

20-A MRSA §15689, sub-§7-A, as amended by PL 2021, c. 441, §2, is further amended to read:

7-A. Adjustment for minimum teacher salary. Beginning in fiscal year ~~2020-21~~ 2027-28, the commissioner shall, in accordance with this subsection, increase the state share of the total allocation to a qualifying school administrative unit by an amount necessary to achieve the minimum salary for certified teachers and career and technical education teachers established in section ~~13407~~ 13408.

A. As used in this subsection, unless the context otherwise indicates, "qualifying school administrative unit" means a school administrative unit that the commissioner determines to have a locally established salary schedule with a minimum teacher salary of less than ~~\$40,000~~ \$45,000 in school year ~~2019-2020~~ 2027-2028. As used in this subsection, unless the context otherwise indicates, "incremental salary increases" means the incremental increases in the salaries of certified teachers and career and technical education teachers employed by a qualifying school administrative unit in school year ~~2019-2020~~ 2027-2028 necessary to meet the minimum salary requirements of section ~~13407~~ 13408 from fiscal year ~~2020-21~~ 2027-28 to fiscal year ~~2022-23~~ 2029-30.

B. The commissioner shall allocate the funds appropriated by the Legislature in accordance with the following.

(1) The amount of increased funds provided to qualifying school administrative units under this subsection must be the amount necessary to fund the incremental salary increases specified in this subsection.

(2) The number of certified teachers and career and technical education teachers eligible for incremental salary increases in a qualifying school administrative unit for a fiscal year must be

based on the information supplied to the department pursuant to section ~~13407~~ 13408 in that fiscal year.

(3) The increased funds provided under this subsection must be issued to qualifying school administrative units as an adjustment to the state school subsidy for distribution to the certified teachers and career and technical education teachers. Qualifying school administrative units shall use the payments provided under this subsection to provide salary adjustments to those certified teachers and career and technical education teachers eligible for incremental salary increases. The department shall collect the necessary data to allow the funds to be included in a qualifying school administrative unit's monthly subsidy payments beginning no later than February 1st of each fiscal year.

(4) Funding for incremental salary increases in fiscal year ~~2020-21~~ 2027-28 must be based on data submitted to the department and certified by school administrative units as of October 1, ~~2019~~ 2026.

Part GG (Prohibiting Cell Phone Use in Schools)

Our Associations fully support the Governor's desire to reduce distractions in the classroom and boost student learning. Since the passage of L.D. 1234 last year, school boards across Maine have been working diligently towards this same goal and are implementing new policies – many of which are “bell-to-bell” bans. Several school leaders support a statewide ban and believe it would provide consistency, but also asked for some local flexibility.

To that end, our Associations would ask you to include changes to bill language that would make this policy more feasible for schools, and that would align Maine's statute with other states:

- **Timetable:** The current language in L.D. 2212 would require schools to have policies in place prohibiting cell phones by August 1st, 2026. However, if enacted, this bill may not go into effect until 90 days after the legislative session – potentially as late as mid-July. This would give schools only a few weeks to implement this law – to speak with our communities, gather feedback, pass new policies, and create procedures. The current timeline is not feasible, and we urge your committee to extend the deadline until August 1, 2027, which would allow school boards and administrators the necessary time to develop policies that best meet their community's needs.
- **Exceptions:** We appreciate that L.D. 2212 includes exceptions for emergency situations and for students with Individual Education Plans and Section 504 plans. However, we also know many examples of classrooms and districts that are using cell phones for legitimate educational purposes. Some use translation apps on students' phones. Others use cell phones in upper-level mathematics classes, so students don't need to purchase bulky and expensive graphing calculators.

Virtually every state that has passed a cell phone ban provides exceptions for legitimate educational purposes, and we would urge you to include them in any final bill. A few examples of similar bill language from other states are listed below:

- *Florida HB 379: “...when expressly directed by a teacher solely for educational purposes.”*
- *Vermont HB.480: “approved by an administrator for an academic, school-sponsored athletic, or cocurricular purpose, for the most limited use reasonably possible.”*

- *New York: "Authorization by a teacher, principal, or the school district...for a specific educational purpose.*

Usage for translation services."

- **Clarification Regarding State Funding Associated with Cell Phone Prohibitions:** We are thankful that Gov. Mills has included \$700,000 to assist districts with the costs of implementing these bans. Several school leaders have told us that their districts have already spent as much as \$50,000 implementing cell-phone-free policies over the past year. We request assurance that these districts that have already prohibited cell phones in response to state laws can also receive state funding, along with districts that pass future cell phone prohibitions.
- **Potential Applicability to Both Students and Staff:** Last year's L.D. 1234 required schools adopt a policy regarding student use of cell phones and other devices. The language in the Governor's proposal appears to go further. It deletes the words "student use of." We think this could be interpreted to prohibit use of personal electronic devices for everyone within a school. This would make Maine an outlier, as we have seen no examples of other states that have passed school cellphone bans applying to both students and school personnel. Exceptions would have to be made to allow any staff to use their phones during lunch, breaks, or for the course of their jobs. We would like clarity on the intent of this language.

Attached to our testimony is some redlined sample language that we believe could address some of our concerns and better align Maine's statute with other states. Again, we appreciate your work and fully support efforts to eliminate distractions and improve student learning.

Thank you for your continued work supporting Maine's public schools. I'm happy to take any questions that you may have.

POTENTIAL CELL PHONE PROHIBITION LANGUAGE:

Sec. GG-1. 20-A MRSA §1001, sub-§23, as enacted by PL 2025, c. 210, §1, is amended to read:

23. Cellular telephone policy. By ~~August 1, 2026~~ August 1, 2027, a school board shall adopt and implement a policy ~~related to~~ prohibiting use of personal electronic devices during the school day. The policy must include, but is not limited to, provisions related to ~~student use of~~ cellular telephones and wearable electronic devices with Internet or cellular network connectivity capabilities.

The policy may provide for exceptions including, but not limited to:

- A. Use of personal electronic devices as part of a student's individual health plan (IHP), implementation of a student's individualized education program (IEP), or a documented Section 504 accommodation;
- B. Use in emergency situations as authorized by staff;
- C. Uses authorized by a teacher or administrator for a specific instructional purpose; or
- D. Use for translation services

The Department of Education, in coordination with the Maine School Management Association, shall make available a model policy to school boards. This model policy shall include a definition of school day, and necessary exceptions for a student's individual health plan (IHP), implementation of a student's individualized education program (IEP), a documented Section 504 accommodation for an individual student or in emergency situations as authorized by staff.