



Testimony in Favor of LD 1259

Good afternoon, members of the Joint Committee on Education and Cultural Affairs. My name is Roger Brainerd, representing the Education Action Forum of Maine, and I am here to testify in favor of LD 1259.

The purpose of this bill is to restore the ability of districts - superintendents and school boards - to authorize public charter schools within their districts, or within a collaborative of districts, without being subject to the cap of ten charter schools statewide.

Prior the passage of LD 307 in 2019 there was no cap on the ability of districts to become authorizers. **A last-minute, arbitrary amendment to the bill to cap Commission-authorized charters included district-authorized charters under the same cap.** This amendment was added when the sponsor presented the bill at its public hearing. Without warning, **districts statewide were deprived of their legal authority and had no opportunity to respond.** During subsequent testimony (2 for and 44 against) **there was no discussion of the amendment.** At the work session, this Committee passed the bill on a party-line vote and the Legislature went along. Without the Governor's signature LD 307 became law: district-authorized programs are now included under the Commission's 10 school cap – which has already been reached.

We believe districts should not have lost this statutory authority without due process. Especially now, they need all the innovative tools available to develop a variety of approaches to address the challenges they face following the disruption and loss of learning from the pandemic.

Maine students and families want more diverse, affordable public education options. Students have now experienced new approaches to education, and they are empowered when they select among options such as remote, hybrid, in-person, and outdoor learning. Making such decisions increases their engagement and ownership in their education. It helps them feel more in control of their lives, increasing their social-emotional wellbeing. With students experiencing social anxiety or bullying, choosing among affordable public school options can be lifesaving.

Districts need a variety of approaches to help frustrated students and families who have increasingly opted for homeschooling, private pods, or joined a wait list for a public charter school. Current estimates are that more than 7,800 Maine families have left district schools in the past year.

Though no districts have used their charter authorizing authority since the enabling law was passed, superintendents and school boards have been interested. To increase its usefulness for districts, there may be disincentives in the law that we can address once we get the basic right restored. If districts regain this authority, they will be eligible for substantial grants through the federal Charter School Grant Program.

There *are* some alternative pathways that allow some students and parents to choose *among* public schools, such as CTE programs, but rarely *within* a school district or outside the boundaries of their resident district. Maine's public school options are limited. Of the approximately 174,000 publicly-funded PreK-12 students in the state, fewer than 5% have been able to exercise education options within the public school system.

"Public school options" should no longer be a partisan issue. They should be explored, supported by the Legislature, implemented by the Department of Education, and used by superintendents and local school boards to offer students, their families, and their teachers new teaching and learning opportunities. Please vote "**Ought to Pass**" on LD 1259. Thank You.