



## MAINE STATE BOARD OF EDUCATION

23 State House Station  
AUGUSTA, MAINE 04333

### STATE OF MAINE

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The Student Transfer Ad Hoc Committee held its first meeting on December 19, 2024, at the Burton M. Cross building in Augusta, Maine and virtually via Zoom. The following members were present: Chair, Fern Desjardins, Paulette Bonneau, Tom Keller, and Ed Morin.

Others Present: Dan Chuhta, Deputy Commissioner, Maine DOE; Robbie Feinberg, Director of Communications and Government Relations, MSSA; Eileen King, Executive Director, MSSA; Maria Libby, RSU 28 Superintendent; Stephen Marquis, RSU 57 Superintendent; Jonathan Moody, RSU 54 Superintendent; and Peter Thiboutot, AOS 92 Superintendent.

#### **Addressing Student Transfer Appeals Concerns:**

- The meeting was convened by Fern Desjardins, Chair of the State Board, at 2:00 PM to discuss concerns about the student transfer appeals process.
- Fern expressed concerns about the lack of agreement among board members on the interpretation of the term "best interest" in the appeals process.
- She also mentioned the changing needs of students in the modern school system, such as childcare and mental health support.

#### **Student Transfers and Board Member Concerns**

The Board expressed and discussed the following concerns:

- The process of handling student transfer appeals, emphasizing the importance of certain documents and the lack of standardization in the additional documents.
- The issue of superintendents not being able to verify the information sent to the State Board, suggesting that if new information is submitted the process should start over.
- Superintendents should contact the MDOE for documents submitted to the Commissioner's Office.
- The residency requirement and the lack of information provided to the board for informed decision-making.
- The board often only receives half the information and that can lead to difficult decisions.
- The potential misuse of the transfer appeal process for school choice.
- The board needs more information to make informed decisions and to prevent the misuse of the process. Also, the issue of repeated appeals from the same families.
- The length of time it takes from when the parent submitted the request and when the superintendents signed off with their decisions.

## **Student Transfers and Superintendent Concerns**

The Superintendents expressed and discussed the following concerns:

- The importance of following the statute and having conversations with other superintendents when considering student transfers.
- The need for a process that involves discussions and agreements between superintendents, rather than just one person signing off.
- The challenges of losing high-achieving students and the need to support staff with childcare issues.
- The importance of child-centered decision-making and collaboration among superintendents to ensure the best interests of the students are met.
- The challenges due to high enrollment and limited capacity.
- The timing of superintendent agreements, suggesting a review process starting in April or May, and the issue of parents lying about their residency to secure spots.
- The need for a timeframe for parents to make appeals and the importance of considering a student's best interest in the context of available resources and capacity.
- The difficulty of denying students due to capacity issues, especially when they have specific needs such as speech services.
- The challenges of balancing individual interests with the greater good, particularly in the context of student transfers between districts.
- The statute should be amended to prioritize the best interest of the student and the receiving district, rather than just the process.
- The financial implications of student transfers, particularly for rural districts, which often lose funding when students move to more affluent districts. The funds should stay within the resident district to ensure equal resources for all students.

## **Superintendent Appeals Process and Data:**

- The appeals process for superintendent decisions, suggesting that if two superintendents agree on a decision, it should be approved, but if there's a disagreement, it should be denied and follow the same process.
- The potential for a standard statewide form to ensure consistency in the process.
- The data on the number of denials at the superintendent level that are ultimately reversed, suggesting that this information could be provided in a future meeting.
- The role of the State Board of Education, with some members suggesting that it should be a procedural oversight rather than a decision-making body.

## **Managing Superintendent Agreements and Funding:**

- The challenges of managing superintendent agreements, particularly in relation to special education needs and funding.
- The lack of transparency in the process, the difficulty in verifying the accuracy of submitted documents, and the potential for abuse of the system.
- A policy review would be sufficient to address any process issues but emphasized the need for more information to make factual decisions.

- The significant financial implications of these agreements, particularly in a district where there is a net loss of students.

**Improving School Transfer Appeal Process:**

- The challenges of the current appeal process for school transfers, particularly the lack of information and the time-consuming nature of the process.
- A new process where the decision would be made by the superintendent, with an appeal to the Department of Education for procedural issues.
- The State Board should only be involved in process appeals, not merit-based decisions.
- The group agreed that the proposed changes would be an improvement and would require statutory changes.

**Drafting Statute Changes and Sponsors:**

- MSSA proposed drafting tentative language for statute changes and suggested setting a date for further discussion after the New Year.
- They also suggested reaching out to potential sponsors, including Senator Rafferty and Senator Farrin.
- Fern suggested using email for preliminary discussions and she would ask for feedback from the Assistant Attorney General's office.
- The team agreed to work on the changes electronically before the next meeting.

**Next Steps:**

1. Jonathan to draft proposed statutory language changes and send to the group via email.
2. Fern to forward Jonathan's draft language to Anne and Sarah for feedback.
3. Robbie to assist with drafting and reviewing proposed language changes.
4. Robbie to reach out to Senator Rafferty as a potential bill sponsor.
5. Eileen to reach out to Senator Farrin as a potential bill sponsor.
6. Fern to schedule a follow-up meeting for January 7th at 2:30 PM, with both in-person and Zoom options.
7. All participants to review and provide feedback on draft language via email prior to January 7th meeting.
8. Fern to add discussion of proposed changes to the January State Board workshop agenda.

The meeting adjourned at 3:54 PM.

The next meeting will be held on Tuesday January 7, 2025, at 2:30 PM.

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Maine State Board of Education