

The Maine Heritage Policy Center Testimony to Support LD 438 Testimony to Oppose LDs 307 & 513 Public Charter School Bills

Senator Millett, Representative Kornfield and distinguished members of the Committee on Education and Cultural Affairs, my name is Adam Crepeau and I am a policy analyst at The Maine Heritage Policy Center. Thank you for the opportunity to testify in support of LD 438 and in opposition to LDs 307 and 513.

When the public charter school system was created by PL 2011, Chapter 414, a 10-year transition period was put in place that limits the number of public charter schools that can be authorized by the Maine Charter School Commission.¹ Until 2022, only 10 public charters can be authorized. Since 2011, over 2,200 students have enrolled in public charters and more than 400 sit on waitlists to become a student.² In other words, the current demand for an education at a public charter school is greater than the supply.

With this in mind, it is perplexing that LDs 307 and 513 would be introduced this legislative session. LD 307 would make the cap on the number of public charter schools permanent while LD 513 would cap enrollment for virtual public charter schools at the end of the 2018-19 school year.³ In 2018, there were 85 children on waitlists to receive an education from Maine Connections Academy, one of two virtual public charters in the state.⁴ Since demand is higher than the current supply, it is clear that these bills unnecessarily attack public charter schools, their teachers and the students they educate.

Public charters serve as an option for students and families with needs or interests that are not well served by traditional public schools. This is not the fault of traditional public schools, but rather the reason why public charter schools exist in the first place. For students interested in a career in a STEM field, the Baxter Academy for Science and Technology may be the best fit for the education they wish to receive. Similarly, a student with a particular interest in marine sciences or forestry may be best served at the Harpswell Coastal Academy. Thus, creating a permanent cap and capping enrollment for virtual public charter schools would be a disservice to students who seek to enroll at one of these institutions.

Further, Maine's public charter school law is fairly robust. The National Alliance for Public Charter Schools (NAPCS), an organization that evaluates states' public charter school laws, ranked Maine's law

¹ http://legislature.maine.gov/legis/bills/bills_125th/chapters/PUBLIC414.asp

² <https://www.pressherald.com/2019/02/12/four-groups-intend-to-apply-for-last-charter-school-slot-in-maine/>;
<https://www.sunjournal.com/2018/02/24/maines-9-charter-schools/?rel=related>;

<https://www.maine.gov/doe/sites/maine.gov/doe/files/inline-files/%28Appendix%20G%29%202017-18%20Resident%20Town%20Breakdown.pdf>

³ <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0370&item=1&snum=129>;

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0231&item=1&snum=129>

⁴ <https://www.pressherald.com/2018/11/05/maines-first-virtual-charter-school-up-for-state-renewal/?rel=related>

eighth strongest among the 43 states that have enacted charter school legislation.⁵ The NAPCS uses 21 components to establish these rankings and identified three weaknesses in Maine’s current law.⁶ These weaknesses include the cap on state-authorized public charters, lack of support provisions, and “inadequate accountability for full-time virtual charters.”⁷

While the intent of LD 513 may be to solve the accountability issue with full-time virtual public charters, the bill undoubtedly goes too far. The NAPCS suggests capping enrollment while allowing increases year over year based on whether the school meets performance requirements.⁸ LD 513 would cap enrollment at the levels from the 2018-19 school year and does not specify if or how enrollment increases might occur in the future. In addition, LD 513 does not allow virtual public charter schools to expand their grade levels beyond what is specified in their initial charter contract. This bill would put a halt on enrollment increases, which is not an effective way to hold public charters “accountable”.

Instead of recognizing the diverse needs of students, people often take an Us vs. Them approach that hinders the education of Maine’s children in order to protect the status quo. Instead of allowing traditional public schools to hold a monopoly over student enrollment, the state needs to lift the arbitrary cap on public charter schools. The Maine Heritage Policy Center supports LD 438 because it would lift the cap, expanding choice for Maine students and families.

Some states, such as Minnesota, do not have a cap on the number of public charter schools, which has led to an influx of new school choice programs since 1991. Minnesota has over 160 public charter schools and more than 55,000 children enrolled in the programs across the state.⁹ If Maine lifted the cap on public charter schools, the door would be open for new schools to emerge in areas of the state that currently lack the specialized education that public charters can offer.

Because LD 438 would give students and parents expanded school choice, please vote “Ought to Pass” this bill. In addition, we strongly urge the committee to vote, “Ought Not to Pass” on LDs 307 and 513. Thank you.

⁵https://www.publiccharters.org/sites/default/files/documents/2019-02/napcs_model_law_2019_web_updated.pdf

⁶ <https://www.publiccharters.org/our-work/charter-law-database/components>

⁷ Ibid.

⁸ <https://www.publiccharters.org/our-work/charter-law-database/components/21>

⁹ <https://www.publiccharters.org/our-work/charter-law-database/states/minnesota>