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STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

TO: Representative Ryan Fecteau, Chair
Members of Legislative Council

FROM: Senator Joseph Rafferty, Senate Chair JR (HAR)
Representative Michael Brennan, House Chair MB (HAR)
Members of the Joint Standing Committee on Education and Cultural Affairs

RE: Racial Impact Statement Process Pilot

Date: April 6, 2022

The Joint Standing Committee on Education and Cultural Affairs submits this letter pursuant to Public Law 2021, chapter 21 and the guidance letter from the Legislative Council Subcommittee to Implement a Racial Impact Statement Process Pilot.

The Legislative Council Subcommittee selected one potential LD for inclusion in the pilot under the jurisdiction of the Education and Cultural Affairs Committee:

- LD 270, An Act to Amend the Regional Adjustment Index to Ensure School Districts Do Not Receive Less than the State Average for Teacher Salaries.

Below, please find the committee's responses to the questions posed by Legislative Council in the guidance letter.

1. *Whether the timeframe in which the racial impact statement was provided to the committee was useful, or whether receipt of the racial impact statement at a different point in time might have proven more useful;*

LD 270 was carried over by the committee for the purpose of additional research by MEPRI unrelated to the racial impact statement process. The committee received notice of this bill's selection for the pilot process on January 5, 2022, and subsequently held the bill in committee until receipt of the Preliminary Racial Impact Statement from Dr. Amy Johnson, Maine Education Policy Research Institute (MEPRI) at USM on February 18,

2022. It is likely that the committee would have worked and voted this bill earlier in session had the committee not had to wait for the racial impact statement. Ultimately though, because of the substance of the bill itself, the committee did not feel that the report would have been more useful at a different time.

2. *How much, if any, additional time did the committee devote to discussion and consideration of the bill as a result of the racial impact statement;*

On March 3, 2022, the committee held a work session on LD 270, which included a presentation from Dr. Amy Johnson on both new data available in regards to the regional adjustment as well as the preliminary racial impact statement. Because of the complexity of the subject matter of the bill, the committee spent the majority of the time on discussions related to how the regional adjustment component works in the context of the school funding formula and how it is impacted by factors other than those that the racial impact statement addressed.

3. *Whether the information provided in the racial impact statement served to advance discussion of the bill in committee;*

Because of the complexity of the subject matter of the bill, and because the preliminary racial impact statement concluded that the proposed bill has a neutral impact on inequities among historically disadvantaged racial populations, the information in the preliminary racial impact statement did not greatly advance discussion of the bill in committee.

Some members of the committee noted that, as it specifically pertains to LD 270, a focus on low socio-economic, rather than racial, may have shown a measurable negative affect on equity to this larger group of students, and that racial, indigenous, and tribal populations would therefore be negatively affected as a key subset of that group.

However, ultimately, the committee found that this was a particularly difficult bill with which to address any potential racial impacts because of the ripple effects of the EPS school funding formula. Members of the committee expressed that there may have been other bills under the committee's jurisdiction during the 130th Legislature that would have been better vehicles for this pilot process.

4. *Whether information provided in the racial impact statement influenced the development by the committee of amendments to the bill;*

The majority of the committee voted to strike the bill and replace it with a resolve that requires the Department of Education to study the impacts of the regional adjustment component of the funding formula and submit a report to the committee no later than

January 15, 2023. The committee did not feel that the statement influenced the development of the amendment.

5. *Whether the information provided in the racial impact statement had an impact on the committee's vote on the bill.*

The committee did not feel that the statement had an impact on the committee's vote.

The Education and Cultural Affairs Committee appreciates this opportunity to provide feedback on the racial impact statement pilot and welcomes further questions.