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THE MAINE SENATE  
131st Legislature

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Augusta, Maine 04333

**Testimony of Senator James D. Libby  
Sponsor of L.D. 1798, "An Act to Support School Choice Empowerment by Establishing  
Empowerment Scholarship Accounts"**

Public Hearing, Thursday, May 8, 2023

Senator Rafferty, Representative Brennan, and esteemed members of the Joint Standing Committee on Education and Cultural Affairs,

My name is Jim Libby, and I am a State Senator representing Senate District # 22, comprised of the towns of Naples, Sebago, Baldwin, and Standish in Cumberland County; Hiram and Porter in Oxford County; and, Limington, Limerick, Cornish, Parsonsfield, Newfield, Acton, and Shapleigh, in the County of York.

It is my honor to bring to your attention the contents of L.D. 1798, "An Act to Support School Choice Empowerment by Establishing Empowerment Scholarship Accounts."

This bill directs the Treasurer of State to establish and the Department of Education to administer individual empowerment scholarship accounts, based on similar accounts established in the state of Arizona, which may be used by parents to pay for the education of their children outside of the public school system, including private schools or online schools. An additional, yet-to-be amendment to this document would exempt homeschoolers from the bill. The funding for these empowerment scholarship accounts comes from shifting 90% of the essential programs and services funding that would otherwise be provided by the State and by the school administrative unit for each child into an empowerment scholarship account. The bill specifies what educational expenditures are permitted, including additional expenditures for children with disabilities, and provides for review of spending from the accounts.

An Empowerment Scholarship Account (ESA) program allows parents who are not happy with their local schools to "opt out" of public district and receive a portion of the public funding deposited into an account (called a class wallet) for defined uses including private school tuition, online education, education therapies, private tutoring or future educational expenses. This program is a 90% program as stated earlier.

Arizona was the first state in the nation to authorize this program, and since its inception, it has become a "universal" program. All students in Arizona are eligible to participate – over 53,000 students at present.

Allowable expenses for all students include (from Arizona DOE website):

- Tuition or fees at a qualified school
- Textbooks required by a qualified school

- Tutoring and teaching services provided by an individual or facility accredited by a state, regional or
- national accrediting organization
- Tuition or fees online learning program (non-public)
- Fees for nationally standardized norm referenced achievement test, an advanced placement exam,
- or any exams related to college or university admission
- Tuition or fees at an eligible postsecondary institution
- Textbooks required by a postsecondary institution
- Fees to manage the Arizona empowerment scholarship account
- Services provided by a public school, including individual classes and extracurricular programs
- Insurance or surety bond payments
- Uniforms purchased from or through a qualified school
- Public transportation services from the qualified student's residence to a qualified school, in which the student is enrolled
- Transportation network services
- Rideshares
- Commuter pass
- Computer hardware and technological devices (primarily used for an educational purpose)
- Calculators
- Personal computers
- Laptops
- Tablet devices
- Microscopes
- Telescopes
- Printers
- Curricula and Supplementary Materials
- CURRICULA
- Curricula for all educational subjects
- Textbooks (including audio/digital/USB)
- Supplemental Materials (see the two sections below on what requires documentation and what does not)
- SUPPLEMENTAL MATERIALS (No documentation needed)
- All reasonable education-related expenses will be allowed. The below list is considered educational and does not require any documentation, to be purchased. Please keep in mind that each student's ESA account is funded for the individual student's education. This list is not exhaustive but is intended to provide examples of what is allowable without documentation.
- Books (including audio, digital, players) / Coloring books / Magazines
- Educational workbooks / Planners / Calendars
- Dictionaries / Thesaurus
- Educational flash cards / Prompt cue cards
- Periodic tables
- Writing utensils (pens, markers, pencils, highlighters, crayons, chalk)
- Art supplies/kits – Education based
- School supplies (index cards, poster boards, paper, folders, binders, notebooks, staplers, scissors, tape, glue, eraser, white out, sharpener, educational poster, small desk/reading lamps, pencil grips, bookmarks, envelopes, rubber bands, dividers, hole punch)
- Backpack / Lunch bags
- Atlases / Maps / Globes
- STEM Kits/Items (Science, technology, engineering, and mathematics)

- STEAM Kits/Items (Science, technology, engineering, the arts, and mathematics)
- Educational kits
- Manipulatives: items that help with counting, time, measurement, shapes, addition, etc.
- math cubes, Legos, dominoes, blocks, shapes, etc.)
- Calculators (standard, graphing, scientific, etc.)
- Compass / Navigation / Protractors / Rulers
- Educational DVDs and CDs
- Audio / Visual players
- Physical Education – Sporting items / Gym memberships
- Microscopes / Telescopes
- Board games / Strategy games / Puzzles
- Timers / Clocks / Watches
- Dry erase boards / Easels
- Bulletin board and accessories
- Single tickets for educational events (zoos, science or art centers, museums, plays, ballet, orchestra, musicals, etc.)
- Educational subscriptions
- Educational software & apps
- School Desk (Reasonable and proportionate to qualified student's size)
- School Chair (Reasonable and proportionate to qualified student's size)
- Small bookshelf
- Desk organizer / Small file drawer
- School Mat / Rug
- Printing and binding services (for educational items for qualified student)
- Personal-sized laminators and supplies
- Computer Accessory Items (warranty, protective cases, chargers, mouse, stylus, keyboard, small speakers, etc.)

In addition to the Allowable Expenses for All ESA Students list, students that qualify for an ESA with a disability, are eligible to use ESA funds for the following:

- Assistive Technology
- Educational/Psychological Evaluations
- Educational Therapies and Services
- Paraprofessional
- Life Skills/Vocational
- Associated Good
- Items on Qualifying Documentation
- Any item that is listed in the student's documentation from their qualified examiner and/or qualified service provider is an allowable expense.

The idea behind this bill is that <sup>we</sup> cannot improve Maine schools until we subject them to competition. Providing parents with school choice will quickly hone schools and make them far more customer friendly.

I appreciate the time you have granted me today, and will remain to respond to questions.