



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1129

H.P. 714

House of Representatives, March 9, 2023

An Act to Enact the Curriculum Transparency Act

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative SAMPSON of Alfred.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: BAGSHAW of Windham, DRINKWATER of Milford, JAVNER of Chester,
LEMELIN of Chelsea, LYMAN of Livermore Falls, POLEWARCZYK of Wiscasset, SMITH
of Palermo, Senator: MOORE of Washington.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §4710-C** is enacted to read:

3 **§4710-C. Curriculum and professional development transparency**

4 **1. Short title.** This section may be known and cited as "the Curriculum Transparency
5 Act."

6 **2. Policies and procedures.** The school board for each school administrative unit shall
7 adopt policies and procedures to ensure the approved curriculum presented is implemented
8 in the classroom without change.

9 **3. Class offerings and curriculum materials.** The choice of academic class offerings
10 and curriculum materials:

11 A. May not be based on surveys, inventories or other evaluations, analyses or
12 assessments of:

13 (1) Student, family or community immutable and other identifying characteristics,
14 including, but not limited to, race, sex, gender, religion, disabilities or income;

15 (2) Psychological or social-emotional data; or

16 (3) Trauma and other psychological and emotional problems; and

17 B. Must ensure schools meet the purpose of education as provided in the Constitution
18 of Maine and disseminate the knowledge needed to ensure the rights and liberties of
19 United States citizens in the State.

20 **4. Posting and availability of data.** Each school administrative unit shall post at least
21 3 years of data showing numbers and percentages of total student capacity at each school
22 and students by grade level, academic subject and percentage level of proficiency based on
23 state assessment scores in the same section as the curricula on the school administrative
24 unit's publicly accessible website. The school administrative unit shall make the data
25 available for inspection at each school within the school administrative unit.

26 **5. Professional development and instructional programs.** All administrator, teacher
27 and staff professional development and instructional programs offered to schools that are
28 paid for with state funds, whether offered directly by the department, another state agency
29 or by a 3rd-party contractor, must be fully transparent and available to the public as follows:

30 A. The department shall make all program materials, videos, links and resources
31 publicly available at no charge on the department's publicly accessible website;

32 B. All program offerings must be open for public attendance to residents of the State;

33 C. All program offerings must be listed in one location on the department's publicly
34 accessible website by date and show the title of the program, program description,
35 location and time. Programs must be publicly posted at least 30 days in advance, with
36 exceptions applying only when the program is added with fewer than 30 days before
37 the date of the program based on an emergency as detailed by the school;

38 D. The school administrative unit shall make audio and video recordings of these
39 programs and make the recordings accessible to the public free of charge for at least 3
40 years after the event date. If a program recording was not made or maintained, the
41 program date, name and description must still be listed on the unit's publicly accessible

1 website for 3 years after the event date has passed with a clear explanation as to why a
2 recording is not available;

3 E. A school administrative unit shall maintain a list showing the date of attendance,
4 name and position of unit attendee, program name and program description for the
5 prior 3 years. The unit shall provide this list upon request and free of charge to residents
6 of the State;

7 F. A school administrative unit may not provide an on-site program prior to the local
8 school board approving a statewide program; and

9 G. The department shall maintain on the department's publicly accessible website a list
10 of school boards that have approved a statewide program.

11 **6. Programs provided by 3rd-party contractors.** For programs offered to schools by
12 3rd-party contractors, the department shall maintain data and information on the
13 department's publicly accessible website related to those programs, including, but not
14 limited to, a breakdown by school administrative unit for each state-funded program
15 showing the amount paid to the 3rd-party contractor by year and by program, detailing the
16 public funds spent on program promotion, development, training, local implementation and
17 other miscellaneous costs for the prior 3 years.

18 **7. Online portal.** Each school administrative unit shall create an online portal to act as
19 the single source for all student information and data that can be accessed by 3rd-party
20 contractors. The portal must consist of an easy-to-search database including, but not limited
21 to, the following:

22 A. All curricula taught by the school administrative unit;

23 B. All source materials used to develop a school administrative unit's curricula;

24 C. All documents, and the source materials used to develop those documents, used by
25 a school administrative unit in the professional development of the school
26 administrative unit's faculty and staff;

27 D. All speakers and guests used by a school administrative unit in its professional
28 development activities; and

29 E. The costs associated with speakers and guests used by a school administrative unit
30 in its professional development activities.

31 **SUMMARY**

32 This bill requires school administrative units to adopt policies and procedures to ensure
33 the approved curriculum presented is implemented in the classroom without change, to post
34 at least 3 years of data regarding certain student enrollment and performance, to maintain
35 lists regarding participation in and development of professional development and to create
36 an online portal that will act as the single source for all student information and data that
37 can be accessed by 3rd-party contractors, including curriculum materials and information
38 regarding speakers and guests. The bill requires the Department of Education to list and
39 make available to the public all administrator, teacher and staff professional development
40 and instructional programs offered to schools that are paid for with state funds and maintain
41 a list of school boards that have approved a statewide program. The bill places restrictions
42 on the choice of academic class offerings and curriculum materials and on-site programs.