Resolve, Directing the State Board of Education To Adopt Rules
Prohibiting Teachers in Public Schools from Engaging in Political,
Ideological or Religious Advocacy in the Classroom

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Presented by Representative CARMICHAEL of Greenbush.
Cosponsored by Representatives: DOLLOFF of Milton Township, DUCHARME of Madison, GRIFFIN of Levant, MASON of Lisbon, POIRIER of Skowhegan.
Preamble. Whereas, the purpose of public education in America is to produce knowledgeable and competent adults able to participate as informed citizens in the democratic process; and

Whereas, education in a democracy is best served by teaching students how to think, not telling them what to think; and

Whereas, our country is divided over many issues affecting its citizens; and

Whereas, it has been established through surveys that a majority of kindergarten to grade 12 teachers discuss controversial issues in their classrooms; and

Whereas, it has been established that some teacher training institutions, teacher licensing agencies, state education departments and professional teacher organizations have condoned and even encouraged this behavior under the guise of "teaching for social justice" and other sectarian doctrines; and

Whereas, time spent on political or ideological indoctrination takes time away from instruction in the academic subjects taught by public educational institutions including the foundational subjects of mathematics, science, English, history and civics and prevents students from receiving the best possible public education as funded by the taxpayers of the State; and

Whereas, parents and taxpayers have a right to expect that taxpayer resources will be spent on education, not political or ideological indoctrination; now, therefore, be it

Sec. 1. State Board of Education to adopt rules prohibiting teachers in public schools from engaging in political, ideological or religious advocacy in the classroom. Resolved: That the State Board of Education shall adopt rules prohibiting teachers in public schools from engaging in political, ideological or religious advocacy in the classroom. Rules adopted under this resolve must be clear and provide enforcement mechanisms for appropriate and professional ethical behavior by teachers licensed in the State in tax-supported schools to prohibit teachers from using the classroom to engage in political, ideological or religious advocacy.

Sec. 2. Rules criteria. Resolved: That the rules adopted under section 1 must prohibit a teacher in a public school during class time or while otherwise operating within the scope of employment as a teacher from doing the following:

1. Endorsing, supporting or opposing any candidate or nominee for public office or any elected or appointed official regardless of whether the official is a member of the local, state or federal government;

2. Endorsing, supporting or opposing any pending, proposed or enacted legislation or regulation regardless of whether the legislation or regulation is pending or proposed or has been enacted at the local, state or federal level;

3. Endorsing, supporting or opposing any pending, proposed or decided court case or judicial action regardless of whether the court case or judicial action is at the local, state or federal level;

4. Endorsing, supporting or opposing any pending, proposed or executed executive action by an executive or executive branch agency at the local, state or federal level;
5. Introducing any controversial subject matter that is not germane to the topic of the 
course being taught;

6. Endorsing, supporting or engaging in any activity that hampers or impedes the 
lawful access of a military recruiter to the school campus;

7. Endorsing, supporting or engaging in any activity that hampers or impedes the 
actions of local, state or federal law enforcement;

8. Advocating in a partisan manner for any side of a controversial issue; the rules must 
require a teacher to provide students with materials supporting both sides of a controversial 
issue being addressed and to present both sides in a fair-minded, nonpartisan manner. For 
purposes of this paragraph, "controversial issue" means an issue that is a point made in an 
electoral party platform at the local, state or federal level; or

9. Segregating students according to race or singling out one racial group of students 
as responsible for the suffering or inequities experienced by another racial group of 
students.

Sec. 3. Violations; notice; training. Resolved: That rules adopted under section 
1 must contain clear guidelines for enforcement and provide penalties for violations up to 
and including termination. The State Board of Education shall provide written notice to all 
affected teachers, parents and students of their respective rights and responsibilities under 
the rules and shall provide at least 3 hours of annual continuing teacher education to 
affected teachers to instruct the teachers in the teacher responsibilities required by the rules.

Sec. 4. Voluntary adoption of educator's code of ethics. Resolved: That the 
Department of Education request all state professional teacher organizations and unions to 
voluntarily adopt an educator's code of ethics and professional responsibility that 
incorporates the rules adopted under section 1 and that specifically prohibits teachers in 
kindergarten to grade 12 instruction from using the classroom for political indoctrination.

Sec. 5. Major substantive rules. Resolved: That rules adopted under section 1 
are major substantive rules as defined by the Maine Revised Statutes, Title 5, chapter 375, 
subchapter 2-A.

SUMMARY

This resolve directs the State Board of Education to adopt major substantive rules 
prohibiting teachers in public schools from engaging in political, religious or ideological 
advocacy in the classroom or from introducing any controversial subject matter that is not 
germane to the topic of the course being taught, with penalties for violations up to and 
including termination of the teacher. This resolve requires the State Board of Education to 
provide written notice of the rules to all affected teachers, parents and students and for 
teachers to receive annually at least 3 hours of continuing teacher education to instruct the 
teachers on the rules. Finally, this resolve directs the Department of Education to request 
professional teacher organizations and unions to voluntarily adopt an educator's code of 
ethics and professional responsibility that incorporates the rules and that specifically 
prohibits teachers in kindergarten to grade 12 instruction from using the classroom for 
political indoctrination.