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Legislative Document

No. 1881

H.P. 1252

House of Representatives, May 5, 2025

An Act to Ensure the Rights of Parents of Minor Children in Education

Received by the Clerk of the House on May 1, 2025. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARUSO of Caratunk.
Cosponsored by Senator GUERIN of Penobscot and
Representatives: HENDERSON of Rumford, LYMAN of Livermore Falls, QUINT of
Hodgdon, SMITH of Palermo, Senators: HAGGAN of Penobscot, LIBBY of Cumberland,
TIMBERLAKE of Androscoggin.

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

Sec. 1. 20-A MRSA §4017 is enacted to read:

§4017. Parental rights with regard to education

1. Right to access information. A parent is entitled to access all information regarding the school activities of the parent's minor child. A parent is entitled to review all information regarding mental, emotional and physical health care services available at the school the parent's minor child attends as well as all teaching and instructional materials for the parent's minor child, including materials used while that child is participating in virtual or remote learning. A parent is entitled to receive a well-being questionnaire or health screening form before that questionnaire or form is administered to the minor child. Notwithstanding Title 22, section 1908, a parent is entitled to access health care and educational records of the parent's minor child. A parent is entitled to the information in this subsection in a reasonably accessible manner.

2. Right to deny participation. A parent is entitled to refuse the parent's minor child's participation in a noneducational or core assignment, activity or service or assignment of material and to request an alternative assignment, activity or service or material.

3. Prohibition regarding procedures or forms. The governing body of a school administrative unit may not adopt procedures or student support forms that:

A. Prohibit school administrative unit personnel from notifying a parent of a student about that student's mental, emotional or physical health or well-being; or

B. Encourage or have the effect of encouraging a student to withhold from the student's parent information described in paragraph A.

4. Prohibition regarding personnel. School administrative unit personnel may not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's educational learning or mental, emotional or physical health or well-being.

5. Exception. This section does not prohibit a school administrative unit from adopting procedures that permit school administrative unit personnel to withhold information from a parent if a reasonably prudent person would believe that disclosure would result in abuse or neglect as defined in Title 22, section 4002, subsection 1 or abandonment as defined in Title 22, section 4002, subsection 1-A.

SUMMARY

This bill provides that a parent is entitled to access all information regarding the school activities of the parent's minor child; review all information regarding mental, emotional and physical health care services available at the school the parent's minor child attends as well as teaching and instructional materials for the parent's minor child; receive a well-being questionnaire or health screening form before that questionnaire or form is administered to the minor child; access health care and educational records of the parent's minor child; and refuse the parent's minor child's participation in a noneducational or core assignment, activity or service or assignment of material and request an alternative assignment, activity or service or material.

1 The bill prohibits the governing body of a school administrative unit from adopting
2 procedures or student support forms that prohibit school administrative unit personnel from
3 notifying a parent of a student about the student's mental, emotional or physical health or
4 well-being or that encourage or have the effect of encouraging a student to withhold this
5 information from the student's parent. It also prohibits school administrative unit personnel
6 from discouraging or prohibiting parental notification of and involvement in critical
7 decisions affecting a student's educational learning or mental, emotional or physical health
8 or well-being. It provides an exception for a school administrative unit to adopt procedures
9 that permit school administrative unit personnel to withhold information from a parent if a
10 reasonably prudent person would believe that disclosure would result in child abuse or
11 neglect or child abandonment.