



**Testimony
In Opposition to
LD 492: RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide
for Parental Rights**

Jan Kosinski, Government Relations Director, Maine Education Association

Before the Judiciary Committee

March 4, 2025

Senator Carney, Representative Kuhn, and other members of the Judiciary Committee,

My name is Jan Kosinski, and I am the Director of Government Relations for the Maine Education Association (MEA). The MEA represents nearly 24,000 educators, including teachers and other educators in nearly every public school in the state, as well as full-time faculty and other professional and support staff in both the University of Maine and Community College systems. Thousands of retired educators continue their connection and advocacy work through the MEA- Retired program.

I offer this testimony today on behalf of the MEA in OPPOSITION to LD 492, RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for Parental Rights.

The MEA and our members know and understand the valuable and integral role parents play in the development of children. In fact, everyday teachers and other educators in our public schools are working directly with parents to communicate concerns, achievements and to coordinate what is best for the students they serve. We know parents are crucial for the development of students. Teachers only get 6-7 hours per day with students. The other 18 hours per day or more they are under the care and supervision of their parents.

However, we have deep concerns about the unintended consequences of a broad amendment to the state constitution to enshrine parental rights.

While the proposed language includes a carve out to protect against “abuse or neglect” we worry these terms are not objective and are open to broad interpretation. And we must raise the question – what about the rights of children?

We know not all parents are supportive of their kids. If a child is expressing a desire for a same sex relationship, and the parents do not accept, are they able to castigate and demean the child or subject them to conversion therapy or other tactics that have been deemed harmful to children?



We worry such an amendment to the state constitution, if approved by voters, could lead to the delay of necessary interventions to safeguard a child, while judges and lawyers try to draw new lines between what is abuse and neglect and what falls under the domain of parental rights. We can expect uncertainty about the line between parental authority and the rights of children to make their own personal choices. We are deeply concerned to the unmanageable predicament this proposal could create for public schools if approved.

For example, if a parent wants to prevent their child from learning math because of an unfounded fear that the math curriculum may include “satanic numbers,” would the school need to deny that student access to math? What if a new immigrant to the state did not want their child to learn the English language for fear it would compromise their identity? Would this constitute abuse or neglect? Not only would this open avenues for some parents to object to the basics of a public-school education, but it could also produce a hodgepodge of arrangements as teachers try to tailor the educational experience for students to meet the demands of parents, not the needs of students.

Lastly, there have been numerous court cases over the years specifically on the federal level to shape and guide the rights of parents. Here is a smattering of cases that have been deemed “settled law” as it relates to the rights of parents:

- Meyer v. Nebraska (1923)
- Pierce v. Society of Sisters (1925)
- Wisconsin v. Yoder (1972)
- Troxel v. Granville (2000)
- Prince v. Massachusetts (1944)
- Stanley v. Illinois (1972)
- Duchesne v. Sugarman (1977)
- Lassiter v. Department of Social Services (1981)
- Santosky v. Kramer (1982)¹

There are many others. But these cases and their outcomes could be reconsidered if the state has a constitutional provision regarding this question. Not only could this result in less than desirable outcomes as I described today but could result in a wholesale reevaluation of the balance between parental rights and the rights of children/students.

For these reasons and more, the MEA is opposed to LD 492 and hope the Committee will vote “ought not to pass” on this legislation.

Thank you for your time, your attention, and your service to the people of Maine. I will do my best to answer any questions you may have.

¹ Please see American Bar Association, Parental Rights Cases to Know, found here: [Parental Rights Cases to Know](#)