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April 14, 2025

Senator Joseph Rafferty, Chair
Representative Kelly Murphy, Chair
Joint Standing Committee on Education and Cultural Affairs
100 State House Station
Augusta, Maine 04333-0100

Senator Rafferty, Representative Murphy, and members of the Joint Standing Committee on Education and Cultural Affairs:

As you consider the testimony and policy implications of **LD 1395, *An Act Regarding Human Trafficking Prevention Instruction and Dissemination of and Access to Obscene Material in Schools***, I thought it might be helpful to provide additional information about the current state of Internet filtering in schools served by the Maine School and Library Network Program (MSLN), as well as identify the potential unintended consequences to Maine State Library contracts and services if this bill is passed into law. I am currently the Chair of the MSLN Board.

MSLN is operated by NetworkMaine, a unit of the University of Maine system that receives a discounted rate for Internet access through the federal E-Rate program. Each participating entity is subject to regulatory provisions of the federal Children's Internet Protection Act (CIPA). All but three (Hermon School Department; the Maine School of Science and Mathematics; and the Maine Virtual Academy, an online charter school) K-12 entities in Maine connect to the Internet through the MSLN.

Attached to this letter is guidance on CIPA compliance that NetworkMaine provides annually to schools. Each year, NetworkMaine collects a certification of compliance with CIPA from each participant. The school certification form can be viewed at https://erate.networkmaine.net/misc/cipa_schools.pdf

NetworkMaine provides filtering at the network level and purchases licenses to provide Cisco Umbrella to all participating schools and libraries. Umbrella is an Internet content filtering



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technology that allows schools and libraries to locally manage their content filtering and cybersecurity rules as part of staying CIPA compliant and meeting all MSLN participation requirements. Umbrella has features that are already in alignment with LD1395. CIPA requires that a technology protection measure (i.e., filter) must block or filter visual depictions that are obscene, child pornography, or harmful to minors. The definitions of these terms align with the definitions referenced in the bill (Title 17, section 2911, subsection 1, paragraph D). In effect, schools that receive an Internet connection through NetworkMaine already comply with the intent of this bill.

As far as unintended consequences if this bill passes, what the bill sponsors may not fully understand is that MSL provides databases statewide to school, public, and academic libraries in Maine. If this bill is passed as written, it could potentially require MSL to renegotiate vendor contracts to include compliance certifications that most vendors won't – or can't – provide because there are not content filtering mechanisms *at the individual user level* for the majority of database vendors right now. This would also put MSL in the position of withholding payments or declaring breach of contract based on vendor filtering capabilities that from a technical standpoint are currently unachievable or extremely limited in scope. This would severely limit access to information to Mainers of any age throughout the state, not just K-12 school libraries.

Basically the platforms we use from database vendors are not designed to do what the bill is asking, and the CIPA requirements that all but three Maine schools adhere to through the NetworkMaine Internet connection requirements satisfy the concerns addressed in the bill. As the Committee considers the bill, another approach might be to consider a best effort or good faith compliance approach given the protections that the majority of schools already have in place.

If any Committee member has further questions about what is already in place for the nearly all Maine schools related to Internet filtering, please reach out to me or Robert Placido, Director of IT at University of Maine and a member of the MSLN Board (robert.placido@maine.edu).



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Sincerely,

Lori Fisher

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