

# MAINE PRINCIPALS' ASSOCIATION



**50 Industrial Drive  
Augusta, Maine 04330  
(207) 622-0217**

**Email: [mpa@mpa.cc](mailto:mpa@mpa.cc)**

**Websites:  
<https://mpaprof.org>  
<https://mpa.cc>**

**Kimberly Liscomb**  
Cony Middle/High  
School  
President

**Stephen Bell**  
Dexter Regional High  
School  
President-elect

**Michael R. Burnham**  
Executive Director  
Interscholastic Division

**Holly D. Blair**  
Executive Director  
Professional Division

**Michael G. Bisson**  
Assistant Director

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**TO: Joint Standing Committee on Education and Cultural Affairs**  
**FROM: Maine Principals' Association Legislative Committee**  
**RE: Neither for Nor Against LD 1439: An Act to Protect the Health and Welfare of Children in Public Schools by Requiring Parental Consent for Certain Tests, Analyses and Diagnoses**  
**DATE: April 15, 2025**

Senator Rafferty, Representative Murphy, and distinguished members of the Joint Standing Committee on Education and Cultural Affairs. My name is Dr. Holly Blair, and I am the Executive Director of the Maine Principals' Association – Professional Division. The MPA represents more than 700 PreK-12 principals and assistant principals, CTE Directors and Assistant Directors, and Athletic Directors of public and private schools in Maine.

The Maine Principals' Association is neither for nor against LD 1439. We fully support the principle of parental involvement and consent in all matters concerning students' intellectual, emotional, behavioral, psychological, and physical assessments. However, we respectfully note that the protections outlined in this bill are already firmly established under existing federal and state laws.

Current regulations—particularly those related to special education and student privacy—require schools to obtain informed parental consent before conducting any evaluations intended to diagnose a condition. These legal requirements are well understood and diligently followed by educators across the state.

Because these safeguards are already in place, LD 1439 may create an additional legal layer that is both redundant and potentially confusing for families and school personnel. Introducing new statutory language where practices are already clearly defined could lead to misunderstandings about school responsibilities and inadvertently delay students' access to timely supports and services.

Additionally, we are concerned about the operational implications of this bill. If the requirement for written parental consent is interpreted to include every form of assessment—such as routine classroom evaluations in spelling, math, reading fluency, or informal teacher observations used to guide instruction—it would be impractical to implement and could disrupt daily teaching and learning. Visual, auditory, and formative assessments are integral to effective instruction and occur regularly to help teachers meet the evolving needs of their students.

For these reasons, while we support the bill's intent to safeguard students and honor parental rights, we urge the Committee to consider whether new legislation is truly necessary. Efforts may be better directed toward reinforcing awareness and consistent application of the current legal framework, and providing clarity on the scope and definition of "assessment" as it pertains to this bill.