



**Testimony of Allen Sarvinas
Parents' Rights in Education Maine
Committee on Education and Cultural Affairs
LD 394; Chapter 117 Ought Not To Pass
April 6, 2023**

Senator Rafferty, Representative Brennan, and the distinguished members on the Committee of Education and Cultural Affairs, my name is Allen Sarvinas and I serve as director of Parents' Rights in Education Maine (MePRIE). We are a nonpartisan, non-profit 501 (c) (3) that advocates for parents' rights in education.

MePRIE opposes this new major substantive rule Chapter 117 based upon our federal and state constitutional right to enjoy our civil rights, unethical regulatory and licensure processes, and the aggressive campaign by the ASCA and MSCA who guide those in which this new rule is applicable.

Article I, Section 6-A, of the Maine Constitution speaks to the prohibition of discrimination. Specifically, Chapter 117 further discriminates against parents and guardians' inherited right to enjoy directing the upbringing, education, and care of their children. Federally, with substantive due process, the 14th Amendment protects a parent's right to direct the educational upbringing of their child which is violated by the use of the Chapter 117's referenced Title 20-A, §4008. Parents and guardians do not enjoy their children sharing their most intimate inner thoughts and/or developing intense relationships with school counselors and school social workers without their knowledge or consent. Parents are scared of facing communications that read, "our district office will be looking into what next steps are". [1] Denying the equal protection of these inherited rights forces us to implore this esteemed committee vote Ought Not To Pass on LD 394.

The current regulatory and licensing processes are unethical, leading to unnecessary disruptions in school districts violating our youth's right to an uninterrupted education. This is due to state employees not having the proper experience or expertise as intended during the passing of Title 20-A, MRS §4008. [1,2] This is a summary of dissenting testimony to the original bill LD 247 which provoked the current MDOE rule making process for Chapter 117. A Certified



School Counselor and Licensed Clinical Professional Counselor pointed out, “the concern is that [school social workers] are taking on the school counselor role without the proper certification and training. This is unethical and against both the school counselor and school social worker standards.” Due to these critical fractures in the system that produces school social workers, it forces us to implore this esteemed committee vote Ought Not To Pass on LD 394.

The American School Counselor Association (ASCA) has openly declared an ideological war on Maine students proclaiming, “it is an expectation, not the exception, for...[see artifact].” They are violating the First and 14th Amendments to the U.S. Constitution, and Title IX of the Education Amendments of 1972 as it is never the government’s role to promote or endorse specific sincerely held beliefs, especially through our compulsory education system. This holds true in all courts due to the inability to avoid discriminating against a separate but equal sincerely held belief. Equal protection matters.

The ASCA are executing their mission through their strong partnership with the Maine School Counselor Association (MSCA). The ASCA and MSCA helps staff, train and guide Maine school counselors for local School Administrative Units (SAU). The state and local SAUs must immediately suspend their active partnership with the ASCA and MSCA until there is a thorough investigative process in which the Education and Cultural Affairs Committee is fully debriefed. This was the approach by state agencies in California and Ohio after the National School Board Association verbally attacked parents. Considering these attacks are based in action and currently occurring within Maine schools, it’s imperative for legislators and SAUs to suspend their cooperative relationships with the ASCA and MSCA immediately. Due to the unconstitutional practices of Maine school counselors, it forces us to implore this esteemed committee vote Ought Not To Pass on LD 394.

MePRIE intent is to provide substantive and constructive feedback for the Education and Cultural Affairs Committee, so they may request the vital information and data required to use their legislative powers to correct the current course which will concurrently provide a safe and productive environment for Maine students and protect parents’ rights in education. Until this occurs, it forces us to implore this esteemed committee vote Ought Not To Pass on LD 394.