

State of Maine  
DEPARTMENT OF EDUCATION

Testimony of Beth Lambert, Director of Innovative Instruction

Neither For Nor Against: L.D. 1333

An Act to Protect Children by Modernizing Internet and Digital Media Filtering Requirements for Education

Before the Joint Standing Committee on Education and Cultural Affairs

Sponsored by: Representative Sampson

Co-Sponsored by: Senators Libby and Rafferty and Representatives Crockett, Guerrette, Hymes and Lyman

Date: April 13, 2023

Senator Rafferty, Representative Brennan, and Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Beth Lambert and I am here representing the Department of Education speaking neither for nor against LD 1133, An Act to Protect Children by Modernizing Internet and Digital Media Filtering Requirements for Education. This bill requires public schools and charter schools to implement policies, filtering, and technology protection measures to ensure that no person using school computers or digital devices has access to materials that are child pornography, harmful to minors, sexually explicit or obscene. It also authorizes the State Board of Education to adopt rules to prevent such materials from being transmitted by any software, hardware, or internet service managed or provided to SAUs.

Over twenty years ago, in 2000, these same concerns led to Congress enacting The Children's Internet Protection Act (CIPA). CIPA's most recent update was in 2011. Under CIPA, schools that receive e-rate discounts for internet access or internal connections are required to block or filter student's internet access to pictures that are: obscene, child pornography, or harmful to minors. Additionally, schools must monitor the online activities of students and educate students about appropriate online behavior including interacting with other individuals on social media and cyberbullying. Schools also must have internet safety policies addressing:

1. Access by minors to inappropriate matter on the Internet;
2. The safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
3. Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
4. Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
5. Measures restricting minors' access to materials harmful to them.

While currently all Maine schools certify that they follow CIPA either through their participation in the Maine School Library Network or by accepting e-rate funds, we fully support making this Maine policy. However, it seems unnecessary to go through expense and time of a rule making process with a law that is so closely modeled after a federal law that has been in effect and effective for the past 23 years.

For these reasons, the Department of Education is Neither for Nor Against LD 1333, An Act to Protect Children by Modernizing Internet and Digital Media Filtering Requirements for Education. I am happy to answer any questions the Committee may have and will be available for the work sessions on this bill.