



49 Community Drive, Augusta, ME 04330
Telephone: (207) 622-3473 Fax: (207) 626-2968
Website: www.msmaweb.com



TESTIMONY IN OPPOSITION TO

L.D. 152

AN ACT TO AMEND THE FREEDOM OF ACCESS ACT TO REQUIRE A SPECIFIC TIME FRAME FOR AGENCIES TO COMPLY WITH REQUESTS FOR PUBLIC RECORDS

February 5, 2025

Senator Carney, Representative Kuhn and members of the Judiciary Committee. I am Robbie Feinberg, the director of communications and government relations for the Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and Maine School Superintendents Association in opposition to L.D. 152.

Our associations oppose this bill because it creates an arbitrary deadline that could overwhelm local school staff, potentially at the detriment of serving students and families.

Our local school administrators and board members believe deeply in transparency and openness. As part of that work, schools take seriously the responsibility of sharing information as quickly as possible. When districts receive information requests, they respond, and in most cases are able to complete these requests within a few days or weeks.

However, for many districts, this work can be a challenge, even in the best circumstances. Time and staffing levels are limited. Staff must review every record to ensure student privacy is protected. I would encourage you to read the written testimony submitted by one school district on this bill, which describes the many layers of painstaking work needed to review these records. These responsibilities are often completed by administrators, school secretaries, or tech directors. And the work comes at the expense of their other duties, educating children and ensuring the smooth operation of their school buildings.

In recent years, districts have faced the additional hurdle of a rapidly increasing number of requests. In some cases, schools have received near-daily requests, adding up to dozens of hours of additional work each week. According to one district, a staff member's sole job for several months was responding to FOAA requests. Another district was forced to hire an additional part-time staff member to handle the growing number of requests for information.

Imposing a 30-day deadline to respond to every request could potentially force our school staff to push aside other, necessary duties supporting educators and students. In some cases -- particularly in small, rural districts -- meeting this deadline could be impossible without hiring more staff members to handle the workload, increasing costs on our local schools.

For these reasons, we oppose this bill. Our schools already strive to complete these requests quickly and efficiently, and we believe the current "reasonable time" standard allows our schools to share information with the public while still meeting the needs of every student.

Thank you for your time and consideration, and I am happy to answer any questions you might have.