

State of Maine
DEPARTMENT OF EDUCATION

Testimony of Dr. Megan Welter, Associate Commissioner, Department of Education

In Support of: L.D. 99

An Act to Clarify Information Sharing Between the Department of Health and Human Services and Schools with Respect to Investigations of Child Abuse or Neglect

Before the Joint Standing Committee on Health and Human Services

Sponsored by: Rep. Murphy

Date: March 12, 2025

Senator Ingwersen, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services:

My name is Dr. Megan Welter, and I am here today representing the Department of Education speaking in support of L.D. 99, An Act to Clarify Information Sharing Between the Department of Health and Human Services and Schools with Respect to Investigations of Child Abuse or Neglect. This bill is necessary to update statute to ensure that information reported to the Department of Health and Human Services' Out-of-Home (OOH) Abuse and Neglect Investigating Team is communicated to entities charged with investigating reports of alleged abuse and/or neglect.

Currently, when there are reports of abuse or neglect occurring within a school setting, those reports are directed to the OOH Investigation Team. Consistent with MRS Title 22, section 4099-L, subsection 1, reports of alleged abuse or neglect occurring in elementary and secondary schools are also referred to the Department of Education. MRS Title 20-A, section 13020 directs and authorizes the Commissioner of Education to carry out the Maine State Board of Education's rule pertaining to the revocation or suspension of an educational certificate. This authority, however, is limited to determining whether there are grounds for the denial, revocation or suspension of an educational certificate. As such, the Department of Education is not able to respond to or share reports of incidents, including those between students, that are referred by the OOH Investigation Team.

Reports of abuse by an educator or between students in a school should also be directed to the agency that has the authority, responsibility, and capacity to investigate. These agencies are the private schools or the school administrative units (SAUs) and their schools. While MRS Title 22, section 4099-K, subsections 2 and 3 authorize the OOH Investigation Team to assist and participate with another department or agency charged with the responsibility to investigate abuse or neglect and to include relevant professionals to participate in the investigations of out-of-home abuse or neglect, LD 99 would clarify that the OOH Investigation Team may notify the superintendent or chief administrator of a public or private school when there is an indicated or substantiated finding of out-of-home abuse or neglect against an employee of or a student registered in that SAU or school.

This bill will address the need to inform and involve school leaders so they can be aware of reports of alleged abuse and neglect that occur in their schools or involve their staff.

For these reasons, the Department of Education is in support of L.D. 99, An Act to Clarify Information Sharing Between the Department of Health and Human Services and Schools with Respect to Investigations of Child Abuse or Neglect. I am happy to answer any questions, and I will be available for work sessions on this bill.