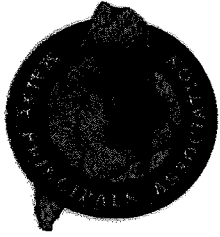


**MAINE  
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*MPA is an Equal  
Opportunity Organization*

**TO: Committee on Judiciary**  
**FROM: Maine Principals' Association Legislative Committee**  
**RE: In Opposition of LD 1222: An Act to Limit Sovereign  
Immunity for Schools and School Superintendents**  
**DATE: March 31, 2025**

Senator Carney, Representative Kuhn, and distinguished members of the Judiciary Committee. 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 of public and private schools in Maine.

The MPA Legislative Committee is in strong opposition to LD 1222, An Act to Limit Sovereign Immunity for Schools and School Superintendents.

This bill presents serious concerns that will have a negative impact on the effective operation of our public schools. It would effectively handcuff school superintendents and limit their ability to make important decisions in the best interest of students, staff, and the school community. Under this proposal, superintendents could face lawsuits whether they act or fail to act, even when the decision they made was reasonable, sound, and correct.

The financial implications of this bill are particularly alarming. It would expose school districts to costly litigation, diverting valuable financial resources away from students and classrooms to defend against lawsuits— resources that should be used to support teaching and learning, not legal fees.

Further, LD 1222 unfairly singles out schools and superintendents. In state and federal case law, public entities such as schools, towns, public safety departments, and their leadership (including superintendents, town managers, police chiefs, etc.) are treated interchangeably because the same public policy reasons support the

need for immunity protections. There is no clear, justifiable reason to treat superintendents differently under the law.

The bill also contains vague and unclear language that creates further risk and confusion. For example, the bill claims it does not apply to “school employees,” yet a superintendent is a school employee. This inconsistency opens the door to unnecessary litigation and misinterpretation, leaving school leaders unsure of their responsibilities and liabilities.

Additionally, schools and school districts should not be held liable for criminal acts committed by employees outside the scope of their employment. This bill would expose schools to liability for actions beyond their control, setting an unreasonable and costly precedent.

For these reasons, we respectfully urge the Committee to vote Ought Not to Pass on LD 1222.