

TESTIMONY IN OPPOSITION TO

L.D. 1395

AN ACT REGARDING HUMAN TRAFFICKING PREVENTION INSTRUCTION AND
DISSEMINATION OF AND ACCESS TO OBSCENE MATERIAL IN SCHOOLS

April 15, 2025

Senator Rafferty, Representative Noonan Murphy, and members of the Education and Cultural Affairs Committee, I am Steven Bailey, the Executive Director of the Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and the Maine School Superintendents Association in opposition to L.D. 1395, An Act Regarding Human Trafficking Prevention Instruction and Dissemination of and Access to Obscene Material in Schools.

While our members understand the importance of teaching about human trafficking, we question this bill's necessity and believe that other elements would unnecessarily censor and restrict the materials and curriculum that are shared within our schools.

Both our state and local districts take seriously the issue of human trafficking and child exploitation. In fact, many schools have taken advantage of training offered by the Maine School Safety Center in recent years on human trafficking¹, protecting young people from online exploitation, and combating² child sexual abuse and trafficking. These are important resources that have benefited teachers and administrators. With these resources already available, we do not think there is any need for the language in L.D. 1395. If the state or local schools want to offer this instruction, they already may.

Meanwhile, we believe that the other pieces of this bill would harm public school curriculum and instruction. Specifically, L.D. 1395 echoes attempts from previous legislative sessions to remove public schools from the decades-old "obscene matter" exemption for the "noncommercial distribution or exhibition for purely educational purpose" that currently applies to institutions such as museums and libraries.

Removing this exemption will only cause divisiveness and confusion among schools and school boards. What is defined as "obscene material?" Would certain books or pieces of art, such as an anatomy book or Michelangelo's *David*, be excluded? This bill would create uncertainty that would threaten academic freedom and cause substantial disruption to our classrooms and school libraries. This bill would also still allow for private schools and "institutions of learning" to be covered under the state exemption, raising questions of why public schools are being singled out.

¹ <https://mainedoenews.net/2020/05/29/combating-child-sexual-abuse-exploitation-and-trafficking-june-zoom-meeting-series-schedule/>

² <https://mainedoenews.net/2022/10/21/human-trafficking-webinar-series-protecting-young-people-from-online-exploitation/>

Maine public schools already have processes to evaluate curriculum and materials. School boards and curriculum committees receive public input and approve the curriculum within our schools in locally inclusive processes. In addition, schools offer avenues allowing parents and community members to challenge any particular educational material, which would then be reviewed by the locally elected school board. This local process is successful and allows for boards to make decisions in the best interests of their students and communities. L.D. 1395 would circumvent that process and would limit the academic freedom that is so important to a healthy, productive learning environment. It would harm our schools and classroom, and we urge you to vote "ought not to pass."