

Testimony of the Maine Association of Independent Schools

In Support of

LD 2106, An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review.

Joint Standing Committee on Judiciary
January 28, 2026

Senator Carney, Representative Kuhn, and Members of the Committee on Judiciary,

My name is Daniel Walker with Preti Flaherty, and I testify on behalf of the Maine Association of Independent Schools (MAIS) in support of LD 2106, **An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review.**

MAIS' 23 members are a diverse group of educational institutions, including Maine's earliest secondary school (Berwick Academy) dating to the 18th century with charters signed by Governor John Hancock, as well as much newer schools, schools with varied missions, schools which serve primarily public-tuition students, and one sectarian school. MAIS schools educate about 9000 students in pre-K through Grade 12, with 4600 publicly funded and 4400 privately funded. What all MAIS schools have in common is their accreditation by the New England Association of Schools and Colleges.

I first want to thank Representative Sato for presenting this bill and to similarly echo our new reality under this iteration of the Trump Administration: these are scary times, especially for immigrant students. Immigration law enforcement activity in the state is operating at unprecedented levels. A byproduct of this Administration's scorched-Earth immigration policies is the growing insecurity and anxiety Maine's students are forced to confront daily.

Federal agendas should not discourage our students from seeking education. This bill serves as an additional layer of security protecting our students by removing voluntary consent as a vehicle through which officers may gain confidential access to nonpublic areas of institutions and student records.

It's important to note that this bill as written does not prevent compliance with valid judicial warrants, nor does it impede the federal government's immigration authority pursuant to 8 United States Code, Sections 1373 and 1644. Instead, this Act promotes student security by limiting voluntary assistance with immigration enforcement activity at public schools and state postsecondary educational facilities. MAIS would recommend that independent schools be added to this bill.

Our students rely on us to foster safe environments in which they can learn and grow. This legislation helps provide stability in the face of growing instability in Maine.

Thank you for bringing this important legislation forward.