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THE MAINE SENATE
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Testimony of Senator Peggy Rotundo introducing
**LD 2192, An Act to Protect Students by Ensuring Schools Have Complete Information
About School Employees and Applicants for Employment**
before the Joint Standing Committee on Education and Cultural Affairs
February 24, 2026

Senator Rafferty, Representative Murphy, and esteemed colleagues on the Education and Cultural Affairs Committee, my name is Senator Peggy Rotundo. I represent Senate District 21 for the people of Lewiston, and I am honored to introduce LD 2192, "An Act to Protect Students by Ensuring Schools Have Complete Information About School Employees and Applicants for Employment."

Last August, a constituent of mine went to her young daughter's elementary school open house and came face to face with a man who had sexually harassed her 20 years before. He was employed at her daughter's school as a school counselor.

My constituent learned through a simple google search that, in November 2024, this teacher had left his assistant principal position in a Maine school district amid sexual harassment allegations and was hired by the Lewiston School Department in February 2025 as an ed tech. A few days before the 2025 school year started, this person was promoted to school counselor at my constituent's daughter's elementary school.

My constituent alerted the Lewiston superintendent, who put the teacher on leave while the School Department did an investigation.

The Lewiston investigation was unable to substantiate the allegations because the prior school district refused to share information on the record, likely due to the resignation agreement the school and this person signed when he left. The signed agreement required that prior district provide two glowing recommendations for this person and that the investigative files related to the sexual harassment allegations against him be locked up at Drummond Woodsum, the law firm for the school district.

Because key evidence was lacking in the Lewiston investigation, the school counselor was allowed to return to the Lewiston elementary school.

The school counselor ended up leaving the Lewiston district shortly after on his own accord. We

subsequently learned that accusations of sexual harassment had been made against him in yet another school district – so accusations had been made against him in at least three districts, and yet nothing had happened.

The experience of my constituent, whom you will hear from later in this hearing, prompted me to work with her and the Maine Coalition Against Sexual Assault to look closely at the current Maine statute as well as laws in other states to figure out what loop holes needed to be closed in our laws to prevent people accused of sexual harassment and other forms of misconduct from moving undetected from school district to school district. My goal with this legislation is to ensure the protections that should already be in place are clear, enforceable, and truly make sure children and young people are safe in our schools. It also adds protections for school staff by adding staff on staff misconduct to the list of covered investigations.

The bill before you would strengthen applicant vetting and misconduct investigation processes for school employees. On the application front, it would require candidates to disclose current or past misconduct investigations, tighten employment history verification practices, and increase communication between school districts and the Department of Education about investigation history. When school employees are accused of misconduct endangering a student's welfare, this bill directs schools to complete an investigation and notify the Department if an employee is disciplined, suspended, or terminated as a result. By prohibiting termination agreements in these cases, it protects school districts' access to key records and information to protect against repeat harm. Further, it gives equal weight to employee safety by including staff-on-staff misconduct to the list of covered investigations.

My bill was prompted by the experience of my constituent, but her story sadly is not unique. There are many other examples of educators accused of sexual harassment moving undetected from district to district.

Here are few quotes from people we've heard from since information about this bill has become public:

From a school staff member: This school was left in wreckage and is still feeling after effects. There is an overall feeling of mistrust, a lack of faith in human resources, and transparency of the reporting process. That man took this school - my happy place - and ripped it apart. I'm not sure it will ever be the same again. If I feel that way, god knows what the poor girls he tormented feel like. The fact that he was able to move to yet another district boggles my mind.

From the spouse of a school staff member: Why wasn't the school district protecting my wife once she reported what he did to students and what he did to her? That's why she left her job of 20 years - because they didn't show up for her. Then he went on to another district.

From a Maine woman: In high school, I had to go to court and get a protective order against a teacher who went on to many other districts because of a similarly lackluster response from the leadership in my district. It's so baffling that a *district court* can deem an adult male unsafe around children but the schools can bypass that decision.

And if you were to ask how many people in this committee room experienced sexual harassment in their schooling at some point, I would bet many hands would go up.

I have consulted with the Maine Education Association and the Maine School Management Association with regard to this bill. You will hear their concerns about their capacity to take on this work and the need to guarantee due process for those who are accused. I am not insensitive to these concerns. However, if other states have figured out ways to put in place laws to protect children while also protecting educators due process rights and the workload of school departments, we in Maine can figure it out as well. For all of us as legislators, our bottom line must be about protecting children from the trauma of sexual misconduct - including sexual harassment - by people who are meant to keep them safe.

I am presenting to you this afternoon our best thinking about how to do this. If there are better ideas about ways to protect children in schools, as well as the adults charged with educating them, I am open to them. However, our bottom line must be about securing children and educators' safety.

The status quo is not acceptable. We are failing our children and educators. The fact that this educator was accused of sexually harassing students and staff in at least three different school districts but is positioned now to move to yet another district without anything on the books that would help signal that there might be a problem with him shows how miserably we are failing our children and how critical it is that we do more to protect them. We all need to take responsibility for making sure we put provisions in the law that prevent him and others from ending up in any school district in Maine.

Thank you for the serious consideration I know you will give this bill. I am not an attorney or an expert in educational law, but I will do my best to answer your questions and promise to get any additional information you need for your work session.

For the work session I will be able to share with you a list of what other states are doing to address this problem. I will also share the recommendations that Maine's Right to Know Advisory Committee made in response to my letter to them asking them to look into the issues raised in this bill. You will also see in your folder testimony from Faith Colson who helped draft the bill that was adopted in Illinois and who has some additional suggestions you might want to consider.

LD 2192: An Act to Protect Students by Ensuring Schools Have Complete Information About School Employees and Applicants for Employment

OVERVIEW

LD 2192 closes gaps that currently allow serious misconduct to go undisclosed when school employees move between school districts. It ensures investigations are completed, information is shared responsibly, and student and staff safety remains the top priority. The goal is simple: protect students and school staff by making sure serious concerns are disclosed. Eighteen states and D.C. have passed similar legislation.

WHAT LD 2192 DOES

- ✓ **Requires full disclosure from applicants:** Anyone applying for a school district job must report if they were the subject of any current or past investigation related to misconduct. This includes investigations by an employer, licensing agency, law enforcement, or the Department of Health and Human Services. Applicants must disclose this information even if the investigation found the allegations were unsubstantiated.

This includes investigations involving:

- Alcohol or illegal drugs
- Physical or emotional abuse
- Inappropriate contact with a student or another employee
- Stalking or harassment
- Sexual assault
- Sexual exploitation of a minor
- Any similar behavior that could endanger a student or another employee

- ✓ **Adds protections for children and school district staff:** LD 2192 adds to the list of covered investigations key types of misconduct: staff on staff harassment and misconduct, sexual exploitation of a minor, harassment, and sexual assault.

- ✓ **Requires schools to verify employment history:** Schools must check the employment history applicants provide. They must contact current and former employers going back 20 years. They must verify the information within 90 days. Staff may be hired on a provisional basis while verifications are completed.

- ✓ **Requires investigations to be completed:** Schools must start an investigation as soon as they learn of alleged misconduct. A formal complaint is not required. If an employee leaves a job while under investigation, the school must notify the Department of Education. Once a school begins an investigation, it must complete it.

- ✓ **Strengthens communication with the Department of Education:** Schools must:
 - Immediately notify DOE if they discipline, suspend, or terminate an employee if an investigation finds that a student's health, safety, or welfare was endangered.
 - Ask the Department of Education about any current or past investigations involving an applicant.