



**Traci Gere**

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# HOUSE OF REPRESENTATIVES

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**Testimony of Representative Traci Gere introducing: LD 1512,  
“An Act To Create the Office of the Education Ombudsman and To  
Establish a Commission To Study the Creation of a Reporting and  
Response System To Assist Public Schools in Addressing Incidents  
of Bias, Discrimination and Harassment”  
May 4, 2021**

Good morning Senator Rafferty, Representative Brennan, and members of the Education and Cultural Affairs Committee. I am Representative Traci Gere, and I represent House District 9. I live in Kennebunkport. I’m here today to present LD 1512.

Many students in Maine face bias and harassment in their schools, but hesitate to report it for fear of retaliation or suffering negative social impacts. When incidents are reported, schools have widely varying levels of experience and expertise in handling them effectively. Damage to the school community can be deep and difficult to heal.

When students feel intimidated or hesitant to report incidents or a district is not responding well, students and families often feel like they have nowhere to turn. Available resources focus more on legal remedies, or can be perceived that way (e.g., Maine Human Rights Commission, Attorney General). If a situation is severe enough to warrant a lawsuit, it can take years for the case to be heard and remedies considered. And often, families don’t want to go the legal route, or it is not a system they are comfortable with. This is especially the case with immigrant families, or any population that feels vulnerable or at risk. Parents don’t want to have to go to court to feel that their concerns are being addressed, their children are safe, and the community is taking real action to address bias and harassment in the schools.

This past year in Portland, we saw what happened when anonymous reporting surfaced comments made on social media. Numerous complaints were made, an investigation was launched, and the findings led to important actions by the district. In the report, Superintendent Botana “told the board that the investigation’s key findings include that the district does not have a safe reporting system for students and that as an institution, the district has a “spotty record” of following through on claims that are brought forward. “Those two lessons are interdependent,” he said. “The extent to which the lived experience of reporters is that there is a lack of clear follow-up leads to a lack of trust in the system. It also leads to a culture where claims get legs in the public lore and are never brought to closure.””

This Portland Press Herald article below also contains a link to the Portland Public Schools report.

[District 9: Biddeford \(part\), Kennebunk \(part\) and Kennebunkport](#)



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<https://www.pressherald.com/2021/02/03/misconduct-allegations-lead-to-staff-resignations-discipline-at-portland-schools/>

The Portland Public Schools report recommended an ombudsperson “to serve as a check on the system, staff training and school-level restorative dialogues.”

While some districts may be able to afford an independent ombudsperson, most simply lack the funds for such a dedicated resource. In addition, an ombudsperson hired by a district likely lacks the very independence needed to be perceived as an honest broker.

## Office of the Education Ombudsperson

LD 1512 would create a statewide Education Ombudsperson for Maine. You can think of the Education Ombudsperson as the “public advocate” for students and families, just like we have the public advocate for utilities. The office would promote understanding of the rights of students and the policies and responsibilities of schools. The ombudsperson would receive concerns and complaints and respond with a problem-solving and mediation focus, and legal referrals where warranted, and would work with districts to improve their capacity for handling and preventing bias and harassment.

The following states and cities have some type of education ombudsperson:

- Washington State Governor’s Office of the Education Ombuds (14-year track record and model for LD 1512)
- Washington, DC
- New Jersey Special Education ombudsperson
- Maryland has recently established a special education ombudsperson in its Attorney General’s office

## Benefits of a State-wide Education Ombudsperson

As Maine’s population continues to diversify, an investment in an education ombudsperson’s office would help families and districts across the state.

A statewide ombudsperson would help Maine students and families to:

- Access a confidential and independent resource to help with situations of bias and harassment
- Feel that they had a place to turn when situations in their district are not being adequately addressed or improving
- Obtain information on their rights and options

[District 9: Biddeford \(part\), Kennebunk \(part\) and Kennebunkport](#)



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- Take concrete action to help improve and strengthen their school communities

A statewide ombudsperson would help Maine school districts to:

- Uncover complaints that might otherwise remain hidden
- Access expert mediation services and support in working with students and families, and use alternatives to costly litigation
- Continuously improve their capacity at promoting and creating a culture of belonging, and quickly addressing times when the community falls short
- Address situations of bias and harassment so that harm can be acknowledged and remedied, and more families stay in Maine

The Maine Department of Education would benefit from a statewide ombudsperson in having access to aggregated data statewide, so that it could best target its resources - by geography, on training and education programs, and in other key investments.

And for Maine, the Education Ombudsperson would help in continuously building a culture of belonging, which is a key component of our state's ability to grow, attract new people, and for all of us to enjoy safe, rich, and fulfilling lives.

I ask you to vote Ought to Pass on LD 1512.

I am available to answer any questions.

Respectfully,

A handwritten signature in cursive script that reads "Traci Gere".

Traci Gere  
State Representative