

State of Maine
STATE BOARD OF EDUCATION

Testimony of Fern Desjardins, Chair of the Maine State Board of Education

Neither For Nor Against: L.D. 1333

An Act to Protect Children by Modernizing Internet and Digital Media Filtering Requirements for Education

Before the Joint Standing Committee on Education and Cultural Affairs

Introduced by: Representative Sampson

Date: April 13, 2023

Senator Rafferty, Representative Brennan, and Honorable Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Fern Desjardins, Chair of the Maine State Board of Education. I am submitting testimony Neither For Nor Against L.D. 1333 An Act to Protect Children by Modernizing Internet and Digital Media Filtering Requirements for Education.

The State Board of Education supports local policies to prevent material that is child pornography, harmful to minors, sexually explicit or obscene from being transmitted by video, computer system, software or hardware product or Internet service managed or provided to school administrative units.

L.D. 1333 requires public schools and charter schools to implement policies, filtering and technology protection measures to ensure that no person using school computers or digital devices has access to materials that are child pornography, harmful to minors, sexually explicit or obscene. A random check of websites of school systems in Maine indicated that they already have policies in place to address concerns about children's access to obscene or harmful content over the Internet. They include the following policies:

- IJNDB Student Computer and Internet Use and Internet Safety
- IJNDB-R Student Computer and Internet Use Rules
- GCSA Employee Computer and Internet Use
- GCSA-R Employee Computer and Internet Use Rules

Four concerns/questions that the State Board of Education has with the bill as presented are:

1. Maine School Management Association (MSMA) provides sample policies to school administrative units. Their table of contents indicates that policies IJNDB, IJNDB-R, GCSA, and GCSA-R are required policies of schools in Maine.
2. Is data available to determine how many school systems/public schools already have policies in place for Internet use and safety? In other words, is the intent of L.D. 1333

already being met?

3. The reference to “public schools and charter schools to implement policies.” Charter schools in Maine are public schools so the reference should simply be “public schools.”
4. The requirement that the State Board of Education adopt rules to meet the requirements in L.D. 1333 raises concerns. As volunteers, the State Board already struggles to meet all the powers and duties in 20-A MRSA §405. To add another duty raises the bar to a higher notch.

The Maine State Board of Education supports protecting all children by modernizing Internet and digital media filtering requirements for education. We would welcome the opportunity for discussion in a work session on the concerns raised above.

Thank you for this opportunity to comment.