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## TESTIMONY IN OPPOSITION TO

L.D. 2107

### AN ACT REGARDING DEPARTMENT OF EDUCATION RELIANCE ON CRIMINAL BACKGROUND CHECKS REQUIRED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Senator Rafferty, Representative Brennan and members of the Education and Cultural Affairs Committee. I am Victoria Wallack, Director of Communications and Government Liaison at Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and Maine School Superintendents Association in opposition to L.D. 2107.

Fingerprint-based background checks help to safeguard our children and strengthen public confidence in the integrity of public education, but not all background checks prioritize the data that results from fingerprinting equally.

Employees who work with our students are held to the highest standard when it comes to child protection. Some organizations can waive misdemeanor or felony convictions for crimes involving minor victims. Sexual offenses and abuse would keep an individual from passing their criminal history record check in Maine and would prevent them from obtaining the certification or clearance to work in our schools. These offenses or crimes **would not** be waived by the Maine Department of Education.

Our associations feel that all individuals who work with our students should be held to a consistent and rigorous background check especially as it pertains to child protection, regardless of whether they have been fingerprinted for other employment. Allowing the results of fingerprints among different organizations, who have different standards, could put the safety of our students in jeopardy especially if the standards are varied.