

## TESTIMONY IN OPPOSITION TO

L.D. 492

### RESOLUTION, PROPOSING AN AMENDMENT TO THE CONSTITUTION OF MAINE TO PROVIDE FOR PARENTAL RIGHTS

March 4, 2025

Senator Carney, Representative Kuhn, and members of the Committee on Judiciary, I am Steven Bailey, Executive Director of 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. 492.

MSSA and MSBA support parental rights in education, and have policies, handbooks, procedures and guidance on parental involvement and engagement. We want parents involved in our schools, whether as educational partners or volunteers. Sample board policies, which are attached to this testimony, make it clear that board members should promote parent involvement and engage in the education of their children by monitoring their child's learning progress; reviewing homework; discussing concerns with the appropriate staff member in the school; and joining the PTO or volunteering at school or school-related activities. All these roles support the important relationships between parents and educators to support the education of children.

I want to quote from a recent resolution adopted by the Maine School Boards Association, which reaffirms these commitments to parental engagement:

*“These times for engagement include the opportunity to be heard by school district leadership, opportunities for consultations with teaching staff about what is being taught, and the opportunity to receive and review information about school budgets and spending. Parents/guardians also have the ability to opt their child(ren) out of programming they do not feel is appropriate for their child.”*

We know from research that parental involvement is imperative for a student to succeed and is one of the largest factors determining a child's educational attainment. If you look across the state, many schools have added positions such as outreach coordinators to specifically connect with parents, listen to their concerns and offer resources.

Federal law also protects parental rights under the Elementary and Secondary Education Act (ESEA). Under that statute, parents have the right to know the level of their child's achievement in schools; the professional qualifications of their teachers; and the right to request that information about a student not be disclosed without written consent. Schools recognize and encourage parents to exercise their rights to partner with schools in the education of their children.

Maine schools are committed to abiding by these laws, and we believe that they work, providing the appropriate balance of parent, student and educator voice to create the best education for every child. We do not believe that adding this proposed amendment to the Maine Constitution is necessary, and we do not believe it would benefit children, educators, or their families.

We would also highlight concerns raised about similar parental rights constitutional amendments that have been proposed federally and in other states. Critics have noted that a disagreement over a particular issue could lead to adversarial lawsuits against school districts, instead of collaboration and communication with their child's teachers and administrators. This could create divisiveness and potentially add substantial legal expenses, ultimately sacrificing valuable resources that should be spent on our students. There are also concerns that an amendment could open the door to parents exempting their children from immunization requirements, potentially threatening the health of all children in a classroom or school building.

The Maine School Superintendents Association and the Maine School Boards Association are not in favor of adding this proposed amendment to the Constitution of Maine and urge the members of the Judiciary Committee to vote Ought Not to Pass on L.D. 492.

## PARENT INVOLVEMENT IN EDUCATION

**[NOTE: This sample policy addresses parent involvement in general. It reflects the concept of “reciprocal accountability” for student learning and achievement, which is particularly important in a standards-based educational environment. Although their roles and responsibilities may differ, schools, students, and parents must share accountability for student learning. Board members and superintendents should note that a separate policy, KBF, relates to parent involvement in Title I programs; KBF reflects particular requirements of the No Child Left Behind Act.]**

The Board recognizes that a student’s education is a responsibility shared by the school, the student, and the family. Research indicates that involvement of parents in support of the children’s education increases student achievement. Schools and parents must work as partners if the school system is to meet its goal of educating students effectively.

It is the intent of the Board that the school system **[OR: the schools]** promote parent involvement by:

- A. Supporting meaningful two-way communication between school and home;
- B. Promoting responsible parenting;
- C. Encouraging parents to play an integral role in assisting student learning;
- D. Assisting parents in their efforts to support, reinforce, and extend their children’s learning;
- E. Providing opportunities for parent input in school programs and curriculum;
- F. Respecting parents as partners in decisions affecting children and families;
- G. Welcoming parents as visitors to the schools;
- H. Engaging in meaningful parent-teacher conferences to discuss student progress toward meeting the content standards of the system of Learning Results and other learning goals, individual instructional needs and student welfare issues;
- I. Communicating with parents about school system policies and regulations;

- J. Encouraging parents to volunteer in the schools and school-related activities;
- K. Encouraging parent involvement through PTO groups and Board and school advisory committees;
- L. Supporting appropriate professional development opportunities that enable staff members to increase the effectiveness of parent involvement strategies;
- M. Encouraging school administrators to set expectations and create a climate conducive to parent participation;
- N. Developing methods to accommodate and support parent involvement for parents with special needs, such as limited English proficiency; and
- O. Assess the effectiveness of parent involvement efforts.

The Board expects parents to:

- A. Make every effort to provide for the physical well being of their children;
- B. Establish a home environment that supports learning and appropriate behavior;
- C. Strive to prepare the student emotionally and socially so that the student is receptive to learning, discipline, and behavioral expectations;
- D. Have students attend school regularly and on time;
- E. Help students to develop good study habits;
- F. Monitor their student's learning progress;
- G. See that their child participates in remedial activities and/or additional instruction, as recommended, to provide them with the opportunity to progress toward meeting the content standards of the system of Learning Results and other instructional goals and objectives;
- H. Review their children's homework and reinforce reading, math, and other skills;

- I. Become familiar with school rules and procedures;
- J. Discuss problems and concerns with appropriate persons;
- K. Participate in conferences with teachers and other professional staff;
- L. Cooperate with the schools system to develop a positive self-concept and positive outlook on learning for each child;
- M. When practicable, volunteer in the schools and/or in support of school activities;
- N. When practicable, participate in PTO groups, advisory committees and other opportunities to support student learning; and
- O. Provide feedback concerning the effectiveness of the schools' parent involvement efforts.

Cross Reference: KBF - Parent Involvement in Title I

Adopted: \_\_\_\_\_

**PLEASE NOTE** MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board's policy development on specific topics. Rarely does one board's policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

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## **PARENT INVOLVEMENT IN TITLE I**

The Board endorses the parent involvement goals of Title I and encourages the regular participation by parents/guardians in all aspects of the school system's Title I programs.

For the purpose of this policy, "parents/guardians" includes other family members involved in supervising the child's schooling.

### **I. DISTRICT-LEVEL PARENT INVOLVEMENT POLICY**

In compliance with federal law, the school unit will develop jointly with, agree on with, and distribute to parents of children participating in the school system's Title I programs a written district-level parent involvement policy.

Annually, parents/guardians will have opportunities to participate in the evaluation of the content and effectiveness of the school unit's parent involvement policy and in using the findings of the evaluation to design strategies for more effective parent involvement and to make revisions to the policy.

### **II. SCHOOL-PARENT INVOLVEMENT POLICY**

As required by law, each school in the school unit that receives Title I funds shall jointly develop with parents/guardians of children served in the program a school parent/guardian involvement policy, including "School-Parent Compact" outlining the manner in which parents, school staff, and students will share the responsibility for improved student academic achievement in meeting State standards. The school policy will be distributed to parents/guardians of children participating in the school's Title I programs.

The "School-Parent Compact" shall:

- A. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the State's academic achievement standards;
- B. Indicate the ways in which parents will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, monitoring television watching, volunteering in the classroom,

and participating, as appropriate, in decisions related to their children's education and positive use of extra-curricular time; and

- C. Address the importance of parent-teacher communication on an ongoing basis, with, at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

**[NOTE: For the most efficient use of time and resources, school units with more than one school participating in a Title I program may wish to consider establishing a district-wide parent advisory council to facilitate implementation of this policy.]**

### III. PARENT INVOLVEMENT MEETINGS

Each school receiving Title I funds shall convene an annual meeting to which all parents/guardians of eligible children shall be invited to inform them about the school's participation in Title I and to involve them in the planning, review, and improvement of the school's Title I programs and the parent involvement policy.

In addition to the required annual meeting, at least **[number]** other meetings shall be held at various times of the day and/or evenings for parents/guardians of students participating in Title I programs.

These meetings shall be used to provide parents with:

- A. Information about programs the school provides under Title I;
- B. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency level students are expected to meet;
- C. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and
- D. The opportunity to submit comments to the district level if they are dissatisfied with the school-wide Title I program.

Title I funding, if sufficient, may be used to facilitate parent/guardian attendance at meetings through the payment of transportation and childcare costs.

IV. PARENT RELATIONS

Parents/guardians of children identified for participation in a Title I program shall receive from the building principal and Title I staff an explanation of the reasons supporting their child's selection, a set of objectives to be addressed, and a description of the services to be provided. Parents will receive regular reports on their child's progress and be provided opportunities to meet with the classroom and Title I teachers. Parents will also receive training, materials, and suggestions as to how they can assist in the education of their children at home.

V. DELEGATION OF RESPONSIBILITY

The Superintendent/designee shall be responsible for ensuring that the school unit's Title I plan, programs, and parent involvement policies comply with applicable law and regulations and for developing administrative procedures, as needed, to implement this policy.

Legal References: 20 U.S.C. § 6318

Adopted: \_\_\_\_\_

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## COMMUNITY INVOLVEMENT IN DECISION MAKING

The Board believes that community participation in the schools is essential to maintain mutual confidence and respect and to improve the quality of education for all students.

Community participation is important both at the Board and school levels. The Board shall seek to involve the community through established policies governing public participation at Board meetings, advisory committees and other appropriate means. Building administrators are encouraged to establish methods to involve the community in decision-making processes that are consistent with Board policies.

The Board is ultimately responsible for the formulation of policies involving the curriculum instruction and the overall school program. The Board reserves the right to make the final decision regarding any such policies, while taking into account the views and suggestions from community members and others.

Legal Reference: 20-A MRS § 1001 et seq.

Cross Reference: BEDH – Public Participation at Board Meetings

Adopted: \_\_\_\_\_

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## **PUBLIC CONCERNS AND COMPLAINTS**

The Board believes that many concerns, complaints, and misunderstandings can be resolved through respectful and constructive conversations.

Parents, students or members of the public who have concerns or complaints regarding any aspect of the **[School Unit Name]** shall be encouraged to seek a resolution at the lowest possible level.

The only exceptions are:

- A. Concerns and complaints regarding School Board actions or operations. Such concerns and complaints may be expressed to the Board Chair in writing or by direct communication. They may also be raised at a meeting of the Board during the period designated for public comment.
- B. Concerns and complaints about school personnel. Such concerns and complaints are to be initiated and addressed in accordance with the Board's policy KEB, Complaints About School Personnel.
- C. Concerns and complaints concerning instructional and library-media materials must be made by submitting IJJ-E, the "challenge form that accompanies the Board's policy IJJ, Selection of Instructional and Library-Media materials. Such complaints will be resolved as provided in the review procedure outlined in policy IJJ.

If a concern or complaint cannot be resolved at the lowest level, the person with the concern or complaint may appeal the decision to the next level (e.g., School Principal, Director of Special Services, Curriculum Director, Transportation, Supervisor, Director of Maintenance and Facilities, Assistant Superintendent).

If the concern or complaint cannot be resolved at any lower level, it may be appealed to the Superintendent. If the complaint remains unresolved at the Superintendent's level, the person with the concern or complaint may request that the matter be placed on the agenda of the next regular Board meeting. The Board Chair, in consultation with the Superintendent, shall determine whether the complaint should be placed on the agenda.

At all levels of the complaint process, school system employees shall inform the person with the concern or complaint of his/her right to appeal the decision to the next level and identify the individual to contact.

This policy shall not be utilized by employees for matters or grievances relating to any term or condition of their employment. Such matters shall be addressed through established channels for employee grievances.

Cross Reference:   BEDB – Agenda Preparation and Dissemination  
                          BEDH – Public Participation at Board Meetings  
                          IJJ – Instructional and Library/Media Materials Selection  
                          KB – Parent Involvement in Education  
                          KEB – Complaints About School Personnel

Adopted: \_\_\_\_\_

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