

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1522

H.P. 1093

House of Representatives, May 9, 2013

An Act To Protect Children from Exposure on the Internet without Parental Consent

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND
Clerk

Presented by Representative NADEAU of Winslow.

Cosponsored by Representatives: BOLAND of Sanford, CHENETTE of Saco, GRAHAM of North Yarmouth, KAENRATH of South Portland, RYKERSON of Kittery, WERTS of Auburn.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6001, sub-§2**, as enacted by PL 1999, c. 595, §2, is
3 amended to read:

4 **2. Internet restrictions.** A public school may not publish on the Internet or provide
5 for publication on the Internet any personal information about its students without first
6 obtaining the written approval of those students' parents. For the purpose of this section,
7 "personal information" means information that identifies a student, including, but not
8 limited to, the student's full name, ~~photograph~~, personal biography, e-mail address, home
9 address, date of birth, social security number and parents' names, and includes
10 photographs, video and other images from which the student can be identified. A public
11 school shall require that a provider of services or activities to students pursuant to an
12 agreement with the public school abide by the provisions of this subsection.

13 **Sec. 2. 20-A MRSA §8901, sub-§1**, as enacted by PL 2005, c. 657, §1, is
14 amended to read:

15 **1. Standards.** The commissioner shall establish standards consistent with the basic
16 school approval requirements for after-school programs offered at elementary or
17 secondary schools in the State. In establishing standards for after-school programs, the
18 commissioner may also consider the requirements of the 21st Century Communities
19 Learning Centers program authorized under Title IV, Part B of the federal Elementary
20 and Secondary Education Act of 1965, as amended by the federal No Child Left Behind
21 Act of 2001, 20 United States Code, Chapter 70. The commissioner shall require that
22 after-school programs abide by the Internet restrictions applicable to public schools under
23 section 6001, subsection 2.

24 **Sec. 3. 22 MRSA §8302-A, sub-§1, ¶¶H and I**, as enacted by PL 1997, c. 494,
25 §10 and affected by §15, are amended to read:

26 H. The administration of medication; ~~and~~

27 I. Licensing procedures; and

28 **Sec. 4. 22 MRSA §8302-A, sub-§1, ¶J** is enacted to read:

29 J. Internet restrictions. These rules must provide that a child care facility may not
30 publish on the Internet or provide for publication on the Internet any personal
31 information identified in Title 20-A, section 6001, subsection 2 regarding a child.

32 **SUMMARY**

33 This bill expands the restrictions on information regarding students that may be
34 published by a public school on the Internet to include video and other images from
35 which a student can be identified. The bill also extends the Internet restrictions that apply
36 to public schools to apply to after-school programs, programs provided to students
37 pursuant to an agreement with a public school and child care facilities.