

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. 2013-006  
DATE September 4, 2013

**AN ORDER REGARDING PROTECTION OF LOCAL EDUCATION CONTROL AND  
STUDENT PRIVACY RIGHTS**

**WHEREAS**, Under Maine law, the state's ultimate goal with regard to its schools is that they will "enable today's students to gain the knowledge and skills necessary for postsecondary education, career, citizenship and military"; and

**WHEREAS**, rigorous state standards detailing expected learning outcomes for students are essential if the state is to meet that goal; and

**WHEREAS**, The adoption of state standards for learning outcomes should be done in an open, transparent way that includes ample opportunity for public review and comment, and

**WHEREAS**, The federal government has no constitutional authority to set learning standards in Maine or any other state, nor determine how children in the State of Maine or any other state will be educated; and

**WHEREAS**, The Maine Constitution specifically grants to local governments responsibility for "the support and maintenance of public schools"; and

**WHEREAS**, It is therefore the right of local school units, not the state, to develop and or adopt curricula and instructional approaches consistent with state learning standards; and

**WHEREAS**, The protection of student and family privacy is a fundamental right of all Maine people;

**NOW, THEREFORE**, I, Paul R. LePage, Governor of the State of Maine, hereby order as follows:

That the Department of Education shall not adopt any educational standards, curricula or instructional approaches that may be mandated by the federal government.

That the Department of Education shall not apply for any federal grant that requires, as a condition of application, the adoption of any federally-developed standards, curricula or instructional approaches.

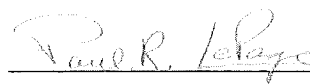
That, consistent with state statute, the Department of Education may provide guidance and technical assistance to schools, but may not require the adoption of specific curricula or instructional approaches.

That any amending of Maine's Learning Results standards must be done through a transparent public rulemaking process that allows Maine people ample time and opportunity to review proposed changes and provide feedback. Specifically, the Department of Education shall ensure that any amendment to the

Learning Results be posted for public review and comment for at least 60 days. Any comments received during this notice period shall be made public prior to final adoption of any changes.

That the collection of student data by school districts and the state Department of Education must be done in a manner consistent with state and federal laws intended to protect student privacy. No personally identifiable data on students and/or their families' religion, political party affiliation, psychometric data, biometric information, and/or voting history shall be collected, tracked, housed, reported or shared with the federal government, nor provided to private vendors for the purposes of marketing or business development.

The effective date of the Executive Order is September 4, 2013.

A handwritten signature in cursive script, reading "Paul R. LePage", is written above a horizontal line.

Paul R. LePage, Governor