

MAINE STATE LEGISLATURE

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Date: 6/12/25 Report 'B' L.D. 165 (Filing No. H-673)

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 98, L.D. 165, "An Act to Allow School Boards to Expel or Suspend Students Regardless of Grade Level"

Amend the bill by striking out the title and substituting the following:

'An Act to Modify Discipline Policies in Maine's Public Schools'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 20-A MRSA §1001, sub-§9, as amended by PL 2021, c. 295, §3 and c. 320, §2, is further amended by amending the first blocked paragraph to read:

A student may be readmitted on satisfactory evidence that the behavior that was the cause of the student being expelled will not likely recur. The school board may authorize the principal to suspend students up to a maximum of 10 days for infractions of school rules, except that the school board may not authorize the principal to issue an out-of-school suspension to a student who is enrolled in grade 5 or below except as provided under subsection 9-A or unless the principal determines that ~~there is an imminent danger of serious physical injury to the student or others and less restrictive interventions would be ineffective~~ administrators and staff need additional time during the student's suspension to develop an appropriate, supportive reentry plan and ensure proper staff support to better meet the needs of the student upon the student's return to school. An out-of-school suspension for a student who is enrolled in grade 5 or below may not exceed 3 days. The principal shall make every effort to minimize the amount of time that a suspended student is out of school. The school board may authorize the superintendent or principal to modify, in writing, the requirement for expulsion of a student on a case-by-case basis. In addition to other powers and duties under this subsection, the school board may develop a policy requiring a student who is in violation of school substance use or possession rules to participate in substance use disorder services as provided in section 6606. ~~Nothing in this~~ This subsection or and subsection 9-C prevents do not prevent a school board from providing educational services in an alternative setting to a student who has been expelled.

1 **Sec. 2. 20-A MRSA §1001, sub-§15, ¶J**, as enacted by PL 2021, c. 295, §4, is
2 amended to read:

3 J. Establish that an out-of-school suspension or expulsion may not be issued to a
4 student in grade 5 or below except as provided under subsection 9 or 9-A or unless the
5 principal determines that ~~there is an imminent danger of serious physical injury to the~~
6 ~~student or others and less restrictive interventions would be ineffective~~ administrators
7 and staff need additional time during the student's suspension to develop an
8 appropriate, supportive reentry plan and ensure proper staff support to better meet the
9 needs of the student upon the student's return to school; and

10 **Sec. 3. 20-A MRSA §1001, sub-§15, ¶K**, as enacted by PL 2021, c. 295, §4, is
11 amended to read:

12 K. Establish that an out-of-school suspension for a student in grade 5 or below may
13 not exceed 3 days and that the principal shall make every effort to minimize the amount
14 of time a suspended student is out of school.'

15 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
16 number to read consecutively.

SUMMARY

17 This amendment replaces the bill and changes the title. The amendment provides that
18 a school board may not authorize a principal to issue an out-of-school suspension to a
19 student in grade 5 or below unless the principal determines that administrators and staff
20 need additional time to develop an appropriate, supportive reentry plan and ensure proper
21 staff support to better meet the needs of the student upon the student's return to school. The
22 amendment also requires a principal to make every effort to minimize the amount of time
23 a suspended student is out of school.
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