

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 898

S. P. 298

In Senate, March 2, 1979

Referred to the Committee on Education. Sent down for concurrence and ordered printed.

Presented by Senator Silverman of Washington.

MAY M. ROSS, Secretary of the Senate.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Recognize the Rights of Students to a Free Public Education.

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

20 MRSA § 473, sub-§ 5, as amended by PL 1975, c. 746, § 10, is repealed and the following enacted in its place:

5. Scholars expelled or suspended. Expel any obstinately disobedient and disorderly scholar, after a proper investigation of his behavior, if found necessary for the peace and usefulness of the school and restore him on satisfactory evidence of his repentance and amendment. The school committee may authorize the principal to suspend a student up to 10 days for the first infraction of school rules during a school term, up to 20 days for the 2nd infraction of school rules and up to 30 days for the 3rd or more infractions of school rules. The school committee shall adopt and make available to the students, teachers and parents rules of behavior for students, an infraction of which will result in expulsion or suspension of a student. In adopting these rules the committee shall recognize the rights of all students to a free public education undiminished by the destructive, disobedient or disorderly behavior of one or more of them.

STATEMENT OF FACT

The misbehavior of one or more students can effectively deny the other students of their right to a free public education. Also, the quality and quantity of education available to them is seriously diminished by the failure of a few to follow established student rules of behavior. This legislation provides for adoption and notice of rules of student behavior to all concerned. In addition, it provides for suspension of increased periods of time for repeated infractions of these rules by students.