

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 899

S. P. 301

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 Provide Guidelines for Teachers or other Persons who use Force to Punish Students.

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

Sec. 1. 17-A MRSA § 106, sub-§ 1, last sentence, as enacted by PL 1975, c. 499, § 1, is amended to read:

A person who may be a teacher or principal of a student designated by the Commissioner of Educational and Cultural Services under Title 20, section 918, subsection 4 to whom such parent, foster parent, guardian or other responsible person has expressly delegated permission to so prevent or punish misconduct is similarly justified in using a reasonable degree of force.

Sec. 2. 20 MRSA § 918, sub-§ 4 is enacted to read:

4. Use of force. The Commissioner of Educational and Cultural Services shall designate a principal or teacher in each elementary or secondary school to use the force permitted under Title 17-A, section 106, subsection 1. He shall adopt rules for the use of this force and the circumstances under which it may be exercised. He shall provide necessary training in the use of force to protect the teacher or principal and the student.

STATEMENT OF FACT

This bill permits a teacher or principal to be able to use reasonable physical punishment as a method of providing discipline in classrooms. The bill requires the commissioner to designate a particular teacher or principal in each school to administer the punishment and adopt rules, guidelines and training therefor.