

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1581

6
7 H.P. 1184

House of Representatives, May 9, 1983

8 Referred to the Committee on Education. Sent up for concurrence and
9 ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Rolde of York.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Clarify the Authority and
18 Responsibility of School Boards
19 in Disciplining Students.
20

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

23 20-A MRSA §1001, sub-§9, as enacted by PL 1981,
24 c. 693, §§5 and 8, is repealed and the following
25 enacted in its place:

26 9. Discipline of students. They shall have
27 authority to govern schools and discipline students
28 within their jurisdiction as follows.

29 A. They shall adopt rules not inconsistent with
30 law setting forth standards of student conduct
31 and grounds for discipline of students which may
32 include expulsion from school, suspension from
33 school or any program within the school and other
34 disciplinary measures.

1 School board rules shall establish procedures for
2 investigation of student behavior, decisions on
3 discipline in accordance with due process. The
4 board shall inform students of the rules affect-
5 ing them and shall notify parents annually of
6 existence of the rules and the availability of
7 copies.

8 B. They shall expell any student who is deliber-
9 ately disobedient or deliberately disorderly or
10 for infractions of violence or possession, fur-
11 nishing or trafficking of any scheduled drug, as
12 defined in Title 17-A, chapter 45, if found
13 necessary for the peace and usefulness of the
14 school.

15 C. They shall readmit any student who has been
16 expelled on satisfactory evidence that the behav-
17 ior which was the cause for expulsion will not
18 likely recur.

19 D. They may suspend students from school or any
20 program within the school or otherwise discipline
21 any student for such periods of time as is
22 believed necessary for the efficient government
23 of the school.

24 E. They may authorize the principal to suspend
25 students from the school or any program within
26 the school for a maximum time of 10 days for
27 infraction of school board rules.

28 STATEMENT OF FACT

29 This bill clarifies the authority and duty of
30 local school boards in matters of student discipline
31 and requires them to adopt rules and implement disci-
32 pline in accordance with due process principles.

33 The bill requires school boards to adopt the
34 rules which are the basis for any student discipline.
35 It clearly establishes that rules may include a vari-
36 ety of penalties including suspension and expulsion.
37 It also allows suspension from programs within the
38 school, in accordance with appropriate procedures.
39 Under this bill students may be suspended from an

1 extra-curricular activity by a principal for up to 10
2 days and for longer periods of time in accordance
3 with school board rules.

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