

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1131

S.P. 420

In Senate, April 11, 1989

Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

Cosponsored by Senator BOST of Penobscot, Representative LEBOWITZ of Bangor and Senator GILL of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Prohibit Injurious Hazing of Public School Students.



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

3 20-A MRSA §6553 is enacted to read:

5 §6553. Prohibition of hazing

7 1. Definitions. As used in this section, unless the
8 context otherwise indicates, the following terms have the
9 following meanings.

11 A. "Injurious hazing" means any action or situation which
12 recklessly or intentionally endangers the mental or physical
13 health of a student enrolled in a public school.

15 B. "Violator" means any person or any organization which
16 engages in injurious hazing.

17 2. Adoption of policy. The school board shall adopt a
18 policy which establishes that "injurious hazing," either on or
19 off school property, by any student, staff member, group or
20 organization affiliated with the public school is prohibited.

23 3. Penalties. The school board shall establish penalties
24 for violation of the rules established in subsection 2. The
25 penalties shall include, but not be limited to, provisions for:

27 A. In the case of a person not associated with the public
28 school, the ejection of the violator from school property;

29 B. In the case of a student, administrator or staff
30 violator, the individual's suspension, expulsion or other
31 appropriate disciplinary action; and

32 C. In the case of an organization affiliated with the
33 public school which authorizes hazing, rescission of
34 permission for that organization to operate on school
35 property or receive any other benefit of affiliation with
36 the public school.

37 These penalties shall be in addition to any other civil or
38 criminal penalty to which the violator or organization may be
39 subject.

40 4. Administrative responsibility. The school board shall
41 assign responsibility for administering the policy to the
42 superintendent of schools and establish procedures for appealing
43 the action or lack of action of the superintendent.

44 5. Dissemination. The school board shall clearly set forth
45 the policy and penalties adopted and shall distribute copies of
46 them to all students enrolled in the public school.
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STATEMENT OF FACT

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This bill prohibits injurious hazing in public schools and is similar to the prohibition contained in the Maine Revised Statutes, Title 20-A, section 10004, which applies to post-secondary schools. School boards are required to adopt policies and penalties to deter hazing.

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