

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1877

H.P. 1360

House of Representatives, December 11, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 11, 1989. Referred to the Committee on Judiciary and 1600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative PARADIS of Augusta.

Cosponsored by Speaker MARTIN of Eagle Lake, Senator ESTES of York and Senator GILL of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act to Amend the Maine Human Rights Act to Prohibit
Educational Discrimination on the Basis of National Origin.**



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

2
3 Sec. 1. 5 MRSA §4601, as amended by PL 1987, c. 478, §3, is
4 further amended to read:

6 **§4601. Right to freedom from discrimination in education**

8 The opportunity for an individual at an educational
9 institution to participate in all educational, counseling,
10 vocational guidance programs and all apprenticeship and
11 on-the-job training programs without discrimination because of
12 sex or a physical or mental handicap, or national origin, is
13 recognized and declared to be a civil right.

14 Sec. 2. 5 MRSA §4602, sub-§3 is enacted to read:

16 **3. Unlawful educational discrimination on the basis of**
17 **national origin. It is unlawful educational discrimination in**
18 **violation of this Act, on the basis of national origin, to:**

20 **A. Exclude a person from participation in, deny a person**
21 **the benefits of, or subject a person to, discrimination in**
22 **any academic, extracurricular, research, occupational**
23 **training or other program or activity;**

26 **B. Deny a person equal opportunity in athletic programs;**

28 **C. Apply any rule concerning the actual or potential family**
29 **or marital status of a person or to exclude any person from**
30 **any program or activity because of pregnancy or related**
31 **conditions;**

34 **D. Deny admission to the institution or program or to fail**
35 **to provide equal access to and information about an**
36 **institution or program through recruitment; or**

38 **E. Deny financial assistance availability and opportunity.**

40 **STATEMENT OF FACT**

42
43 Currently, state restrictions against unlawful educational
44 discrimination apply only to gender and handicap. Children of
45 limited English proficiency are protected only under Title VI of
46 the federal Civil Rights Act. This bill protects children of all
47 national origins against educational discrimination and enables
48 the Maine Human Rights Commission to ensure compliance in this
State.