

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 839, L.D. 1144, Bill, "An Act Pertaining to Parental Access to School Records"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 19 MRSA §214, sub-§6, ¶B, as amended by PL 1995, c. 172, §1, is further amended to read:

B. A statement that each parent must have access to records and information pertaining to a minor child, including but not limited to, medical, dental and school records and other information on school activities, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access; and

Sec. 2. 19 MRSA §752, sub-§6, ¶B, as amended by PL 1995, c. 172, §5, is further amended to read:

B. A statement that each parent must have access to records and information pertaining to a minor child, including but not limited to, medical, dental and school records and other information on school activities, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access; and

COMMITTEE AMENDMENT

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2 Sec. 3. 19-A MRSA §1653, sub-§2, ¶D, as amended by PL 1997, c.
187, §2 and affected by §5, is further amended to read:

4 D. The order of the court awarding parental rights and
responsibilities must include the following:

6 (1) Allocated parental rights and responsibilities,
8 shared parental rights and responsibilities or sole
parental rights and responsibilities, according to the
10 best interest of the child as provided in subsection
3. An award of shared parental rights and
12 responsibilities may include either an allocation of
the child's primary residential care to one parent and
14 rights of parent-child contact to the other parent, or
a sharing of the child's primary residential care by
16 both parents;

18 (2) Conditions of parent-child contact in cases
involving domestic abuse as provided in subsection 6;

20 (3) A provision for child support as provided in
22 subsection 8 or a statement of the reasons for not
ordering child support;

24 (4) A statement that each parent must have access to
26 records and information pertaining to a minor child,
including, but not limited to, medical, dental and
28 school records and other information on school
activities, whether or not the child resides with the
30 parent, unless that access is found not to be in the
best interest of the child or that access is found to
32 be sought for the purpose of causing detriment to the
other parent. If that access is not ordered, the court
34 shall state in the order its reasons for denying that
access;

36 (5) A statement that violation of the order may result
38 in a finding of contempt and imposition of sanctions as
provided in subsection 7; and

40 (6) A statement of the definition of shared parental
42 rights and responsibilities contained in section 1501,
subsection 5, if the order of the court awards shared
44 parental rights and responsibilities.

46 An order modifying a previous order is not required to
include provisions of the previous order that are not
48 modified.

50 Sec. 4. 20-A MRSA §6001-A is enacted to read:

2 §6001-A. Parental access to information on school activities

4 1. Parental notification. Upon written request by a
6 parent, a school administrative unit may provide written
8 notification of all school activities and programs for which
10 parental participation, involvement, notification or awareness is
12 in the best interest of the student. A noncustodial parent may
14 have access to information on school activities and programs upon
16 written request and with the mutual agreement of the custodial
18 parent and the school administrative unit.

20 2. Exemption. This section does not apply to a parent
22 denied parental rights and responsibilities in a court order.

24 **Sec. 5. Effective date.** That section of this Act that amends
26 the Maine Revised Statutes, Title 19-A, section 1653, subsection
28 2, paragraph D takes effect October 1, 1997.'

30 **SUMMARY**

The amendment replaces the original bill. The amendment provides for notification to a parent of all school activities and programs for which parental notification or involvement may be in the best interest of the student, regardless of whether or not the student resides with the parent. The amendment retains the exemption in the original bill that does not allow a parent who has been denied parental rights by court order access to school activities and programs.