

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

MAJORITY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1520, L.D. 2142, Bill, "An Act to Provide Educators More Authority to Remove Violent Students from Educational Settings"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Establish the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1. Commission established. Resolved: That the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 17 members appointed as follows:

1. Two Legislators who are members of the Joint Standing Committee on Education and Cultural Affairs and who jointly chair the commission, one of whom must be a Senator appointed by the President of the Senate, and one of whom must be a member of the House of Representatives appointed by the Speaker of the House;

2. The Commissioner of Education, or the commissioner's designee;

3. The Commissioner of Corrections, or the commissioner's designee;

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2 4. The Commissioner of Human Services, or the
commissioner's designee;

4 5. The Commissioner of Mental Health, Mental Retardation
and Substance Abuse Services, or the commissioner's designee;

6 6. The Attorney General, or the Attorney General's designee;

8 7. One member representing parents appointed jointly by the
10 Maine Parents' Federation, Maine Advocacy Services and the Maine
Alliance for the Mentally Ill;

12 8. One member representing parents whose children attend a
14 public school in the State, jointly appointed by the President of
the Senate and the Speaker of the House;

16 9. One member who is a student representing a peer
18 mediation group in the State, jointly appointed by the President
of the Senate and the Speaker of the House;

20 10. Two members representing teachers who are public school
22 teachers in the State, appointed by the Maine Education
Association;

24 11. One member representing educational technicians in the
26 State, jointly appointed by the President of the Senate and the
Speaker of the House;

28 12. One member representing school bus drivers in the
30 State, jointly appointed by the President of the Senate and the
Speaker of the House;

32 13. One member representing superintendents in the State,
34 appointed by the President of the School Superintendents
Association;

36 14. One member representing school principals in the State,
38 appointed by the President of the Maine Principals Association;
and

40 15. One member representing school boards in the State,
42 appointed by the Maine School Boards Association; and be it
further

44 **Sec. 3. Appointments; meetings. Resolved:** That all appointments
46 must be made no later than 30 days following the effective date
of this resolve. The appointing authorities shall notify the
48 Executive Director of the Legislative Council upon making their
appointments. When the appointment of all members is complete,
50 the Chair of the Legislative Council shall call and

convene the first meeting of the commission no later than August 1, 1998; and be it further

Sec. 4. Duties. Resolved: That the commission shall study the establishment and the effectiveness of districtwide school disciplinary policies and practices in the State and develop a plan to address the growing concern of violence in the public schools. In examining these issues, the commission may conduct public hearings to receive testimony on the incidence of disruptive student conduct and violent behavior in the public schools throughout the State. The commission review must include, but is not limited to, the following components:

1. The collection and analysis of available data related to the incidence of disruptive student conduct and violent behavior in the public schools throughout the State;

2. Effective districtwide school disciplinary policies, procedures and practices that seek to prevent or respond to disruptive or violent student conduct in the public schools;

3. The establishment of suggested student conduct and responsibility standards; and

4. The establishment of a system for notifying staff regarding a student with a history of violent behavior; and be it further

Sec. 5. Staff assistance. Resolved: That the commission shall request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 6. Meetings. Resolved: That the commission may meet up to 4 times; and be it further

Sec. 7. Reimbursement. Resolved: That the members of the commission who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2 for each day's attendance at meetings of the commission. All members of the commission are entitled to reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report together with any accompanying legislation to the Joint Standing Committee on Education and Cultural Affairs of the 118th Legislature by October 30, 1998; and be it further

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SUMMARY

6 This amendment is the majority report of the committee. The
8 amendment changes the title of the bill, changes the bill from an
10 act to a resolve and establishes the Commission to Study
12 Providing Educators with More Authority to Remove Violent
14 Students from Educational Settings to review districtwide school
16 disciplinary policies, procedures and practices that address
disruptive student conduct and violent behavior in the public
schools in the State. The commission shall study the
establishment and the effectiveness of districtwide school
disciplinary policies and practices throughout the State and
develop a plan to address the growing concern of violence in the
public schools.

18 The commission may conduct public hearings to receive
20 testimony on the incidence of disruptive student conduct and
22 violent behavior in the public schools. The commission review
must include, but is not limited to, the following components:

24 1. The collection and analysis of available data related to
26 the incidence of disruptive student conduct and violent behavior
in the public schools;

28 2. Effective districtwide school disciplinary policies,
30 procedures and practices that seek to prevent or respond to
disruptive or violent student conduct in the public schools;

32 3. The establishment of suggested student conduct and
responsibility standards; and

34 4. The establishment of a system for notifying staff
36 regarding a student with a history of violent behavior.

38 The commission shall submit its report with any accompanying
40 legislation to the Joint Standing Committee on Education and
Cultural Affairs of the 118th Legislature by October 30, 1998.

42 The amendment also adds an appropriation and a fiscal note
to the bill.