

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

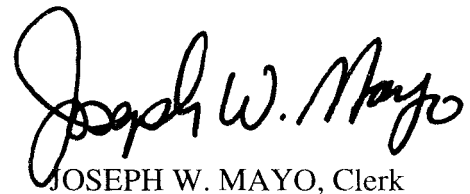
No. 1863

H.P. 1302

House of Representatives, March 16, 1999

An Act to Allow School Officials to Provide Information Regarding Certain Juveniles to Other Agencies.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative FULLER of Manchester.
Cosponsored by Senator CATHCART of Penobscot and
Representatives: BAKER of Bangor, BELANGER of Caribou, GREEN of Monmouth.

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

Sec. 1. 20-A MRSA §4008, sub-§3, as amended by PL 1983, c. 806, §42, is further amended to read:

3. **Exceptions.** This section shall ~~does~~ not apply to the extent that disclosure of information is necessary:

A. To comply with Title 22, chapter 1071; and

B. To report to an appropriate authority or to take appropriate emergency measure measures when:

(1) The client's condition requires others to assume responsibility for the client; or

(2) There is clear and imminent danger to the client or others.; and

C. To assist state and municipal agencies in dealing with a juvenile described in section 6001-B, subsection 2 if, in the judgment of the school counselor or school social worker, disclosure of information is not against the juvenile's best interests.

Sec. 4. 20-A MRSA §6005 is enacted to read:

§6005. Disclosure of information about certain juveniles

1. Information disclosure. To ensure the health, safety and welfare of the citizens of the State and juveniles described in subsection 2, a school administrative unit and its employees shall provide information about juveniles described in subsection 2 to state and municipal agencies upon request and assurance that the agency seeks the information for rehabilitative, not punitive, purposes.

2. Subject juveniles. The information disclosure requirements of subsection 1 apply to:

A. A juvenile who is an habitual truant;

B. A juvenile who has been expelled from school;

C. A juvenile who is considered to be an exceptional student due to behavioral issues; and

D. A juvenile who is suspected of having committed a crime by a law enforcement agency.

2

SUMMARY

4 This bill amends current law to permit a school counselor or
6 school social worker to disclose information about a juvenile who
8 is an habitual truant, expelled from school, having behavioral
10 problems or suspected of having committed a crime if, in the
12 counselor's or social worker's judgment, the disclosure is not
 against the juvenile's best interests. The bill also requires
 schools and school employees to disclose information for
 rehabilitative purposes to state and municipal agencies about a
 juvenile who is a habitual truant, expelled from school, having
 behavioral problems or suspected of having committed a crime.