

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1223

H.P. 909

House of Representatives, February 28, 2001

**An Act to Allow a School Board to Suspend a Student for Rest of Term
for Violent Behavior.**

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative DAVIS of Falmouth.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: BERRY of Belmont, GLYNN of South Portland, MacDOUGALL of North
Berwick, SHERMAN of Hodgdon, TARAZEWICH of Waterboro.

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

Sec. 1. 20-A MRSA §1001, sub-§9, as amended by PL 1997, c. 298, §1, is further amended to read:

9. Students expelled or suspended. Following a proper investigation of a student's behavior and due process proceedings, if found necessary for the peace and usefulness of the school, they a school board shall expel any student:

A. Who is deliberately disobedient or deliberately disorderly;

B. For infractions of violence;

C. Who possesses on school property a firearm as defined in Title 17-A, section 2, subsection 12-A or a dangerous weapon as defined in Title 17-A, section 2, subsection 9 without permission of a school official;

D. Who, with use of any other dangerous weapon as defined in Title 17-A, section 2, subsection 9, paragraph A, intentionally or knowingly causes injury or accompanies use of a weapon with a threat to cause injury; or

E. Who possesses, furnishes or trafficks in any scheduled drug as defined in Title 17-A, chapter 45.

A student may be readmitted on satisfactory evidence that the behavior that was the cause of the student being expelled will not likely recur. The school board may authorize the principal to suspend students up to a maximum of 10 days for infractions of school rules, except in the case of a violation of paragraph B, in which case the school board may authorize the principal to suspend the student for the balance of the semester, trimester or quarter as applicable. In addition to other powers and duties under this subsection, the school board may develop a policy requiring a student who is in violation of school substance abuse or possession rules to participate in substance abuse services as provided in section 6606.

SUMMARY

Current law allows a school board to authorize a principal to suspend a student who behaves in a violent manner for a maximum of 10 days.

This bill increases the number of days the school board may authorize the principal to suspend the student for the balance of the semester, trimester or quarter, whichever is used in the school.