## MAINE STATE LEGISLATURE

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L.D.	427
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2	DATE: 4.7.03 (Filing No. S-29)		
4	Carried No. 8-2077		
6	CRIMINAL JUSTICE AND PUBLIC SAFETY		
8	Reported by:		
10	Reproduced and distributed under the direction of the Secreta of the Senate.	ry	
12	CUT A UNIT ONE RALATINE		
14	STATE OF MAINE SENATE 121ST LEGISLATURE		
16	FIRST REGULAR SESSION		
18	COMMITTEE AMENDMENT "A" to S.P. 145, L.D. 427, Bill, "	Ar	
20	Act To Clarify That the Maine Juvenile Code Does Not Preclu Sharing Information with School Administrators for Purposes	αe	
22	School Safety, Order and Discipline"		
24	Amend the bill by striking out the title and substituti the following:	nç	
26		٠.	
28	'An Act To Clarify That the Maine Juvenile Code Does Not Preclu Sharing Information with School Administrators for Purposes School Safety'		
30			
	Further amend the bill by striking out everything after t	he	
32	enacting clause and before the summary and inserting in its pla the following:	ce	
34	Sec. 1. 15 MRSA §3301-A is enacted to read:		
36	bec. 1. 15 WIRDA 95501-A 1s enacted to read:		
30	§3301-A. School safety		
38	Joseph Marcey		
	1. Sharing information. Nothing in this Part precludes	_ <u></u>	
40	law enforcement officer or criminal justice agency from shari- information with a school superintendent or principal, whether	_	
42	not the information is contained in records, pertaining to juvenile when the information is credible and indicates	а	
44	impending danger to the safety of students or school personnel school grounds or at a school function. The superintendent	or	
46	principal may disseminate this information only to the extendencessary to protect students and school personnel and	nt	
4.8	governed by subsection ?	<u> </u>	

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- 2. Process for further dissemination. Any information received by a superintendent or principal pursuant to subsection 1 may only be further distributed through a notification team as described in Title 20-A, section 1055, subsection 11.
- 3. Information prohibited from inclusion in student's education record. The superintendent or principal shall ensure that information provided pursuant to this section may not become part of the student's education record.

Sec. 2. 20-A MRSA §1055, sub-§11, as enacted by PL 1999, c. 345, §2, is amended to read:

Notification teams. Within 10 days after receiving notice from a district attorney of an alleged juvenile offense or juvenile offense, pursuant to Title 15, section 3308, subsection 7, paragraph E or after receiving notice from a law enforcement officer of credible information that indicates an impending danger to the safety of students or school personnel pursuant to Title 15, section 3301-A, the superintendent shall convene a notification team. The notification team must consist of the administrator of the school building or the administrator's designee, at least one classroom teacher to whom the student is assigned, a parent or quardian of the student and a quidance counselor. The notification team is entitled to receive the information described in Title 15, section 3308, subsection 7, paragraph E, subparagraphs (1) to (6) and in Title 15, section 3301-A. The notification team shall also determine on the basis of need which school employees are entitled to receive that information.

Confidentiality of this criminal justice information regarding juveniles must be ensured at all times, and the information may be released only under the conditions of this subsection. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to the information.'

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#### 40 SUMMARY

This amendment changes the title, replaces the bill and is the majority report. The amendment narrows the scope of information that may be shared by law enforcement with school administrators to that information that is credible and indicates an impending danger to the safety of students and school personnel. The amendment also controls the dissemination of information by requiring the superintendent who receives student information from a law enforcement officer to set up a

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# COMMITTEE AMENDMENT



### COMMITTEE AMENDMENT "A" to S.P. 145, L.D. 427

notification team pursuant to the Maine Revised Statutes, Title 20-A, section 1055, subsection 11. The amendment also clarifies that information received pursuant to this new provision may not become part of a student's education record.

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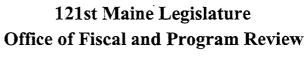
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FISCAL NOTE REQUIRED (See attached)

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Approved: 03/16/03 ///ac





An Act To Clarify That the Maine Juvenile Code Does Not Preclude Sharing Information with School Administrators for Purposes of School Safety, Order and Discipline

LR 1294(02)

Fiscal Note for Original Bill as Amended by Committee Amendment Committee: Criminal Justice and Public Safety Fiscal Note Required: Yes

### **Fiscal Note**

Minor cost increase - General Fund