

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)

17
17
17

L.D. 427

DATE: 4.7.03

(Filing No. S-29)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reported by:

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

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

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

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

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

'Sec. 1. 15 MRSA §3301-A is enacted to read:

§3301-A. School safety

1. Sharing information. Nothing in this Part precludes a law enforcement officer or criminal justice agency from sharing information with a school superintendent or principal, whether or not the information is contained in records, pertaining to a juvenile when the information is credible and indicates an impending danger to the safety of students or school personnel on school grounds or at a school function. The superintendent or principal may disseminate this information only to the extent necessary to protect students and school personnel and as governed by subsection 2.

COMMITTEE AMENDMENT

R. 018.

2 2. Process for further dissemination. Any information
received by a superintendent or principal pursuant to subsection
4 1 may only be further distributed through a notification team as
described in Title 20-A, section 1055, subsection 11.

6 3. Information prohibited from inclusion in student's
education record. The superintendent or principal shall ensure
8 that information provided pursuant to this section may not become
part of the student's education record.

10 Sec. 2. 20-A MRSA §1055, sub-§11, as enacted by PL 1999, c.
12 345, §2, is amended to read:

14 11. Notification teams. Within 10 days after receiving
notice from a district attorney of an alleged juvenile offense or
16 juvenile offense, pursuant to Title 15, section 3308, subsection
7, paragraph E or after receiving notice from a law enforcement
18 officer of credible information that indicates an impending
danger to the safety of students or school personnel pursuant to
20 Title 15, section 3301-A, the superintendent shall convene a
notification team. The notification team must consist of the
22 administrator of the school building or the administrator's
designee, at least one classroom teacher to whom the student is
24 assigned, a parent or guardian of the student and a guidance
counselor. The notification team is entitled to receive the
26 information described in Title 15, section 3308, subsection 7,
paragraph E, subparagraphs (1) to (6) and in Title 15, section
28 3301-A. The notification team shall also determine on the basis
of need which school employees are entitled to receive that
30 information.

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

40 SUMMARY

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

R.O.S.

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

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

6

FISCAL NOTE REQUIRED
(See attached)

8

COMMITTEE AMENDMENT

Approved: 03/16/03 *MAC*

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 427

**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