

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)

m
R. of S.

L.D. 564

DATE: 5/11/15

(Filing No. H-333)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 419, L.D. 564, Bill, "An Act To Amend the Laws Governing the Student Code of Conduct"

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

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 20-A MRSA §1001, sub-§15, ¶F, as amended by PL 2001, c. 644, §1, is further amended to read:

F. Establish policies and procedures concerning the removal of disruptive or violent students or students threatening death or bodily harm to others from a classroom or a school bus, as well as student disciplinary and placement decisions, when appropriate; and

Sec. 2. 20-A MRSA §1001, sub-§15, ¶G, as enacted by PL 1999, c. 351, §2, is amended to read:

G. Establish guidelines and criteria concerning the appropriate circumstances when the superintendent or the

COMMITTEE AMENDMENT

R.S.

2 superintendent's designee may provide information to the
3 local police or other appropriate law enforcement
4 authorities regarding an offense that involves violence
5 committed by any person on school grounds or other school
6 property; and

7 **Sec. 3. 20-A MRSA §1001, sub-§15, ¶H is enacted to read:**

8 H. Establish policies and procedures to address bullying,
9 harassment and sexual harassment.

10 **Sec. 4. Development of model policies to address bullying,**
11 **harassment and sexual harassment.** The Commissioner of Education
12 shall direct the Subcommittee on School and Community Climate of
13 the Children's Cabinet to develop model policies to address
14 bullying, harassment and sexual harassment in schools. In
15 developing these model policies, the subcommittee shall, no later
16 than February 15, 2006:

17 1. Provide a description of behaviors that constitute
18 bullying, harassment and sexual harassment;

19 2. Provide specific guidelines for the enhancement and
20 enforcement of student codes of conduct adopted in accordance
21 with the Maine Revised Statutes, Title 20-A, section 1001,
22 subsection 15;

23 3. Present the guidelines in a manner appropriate for
24 inclusion in staff and faculty handbooks;

25 4. Develop a manual to instruct parents, teachers and
26 school administrators on how to implement policies on bullying,
27 harassment and sexual harassment, including recommendations for
28 procedures to be included a school handbook; and

29 5. Create training modules for school staff and
30 administration specific to recognizing and implementing
31 procedures to address bullying, harassment and sexual
32 harassment. Training modules must be developed for delivery
33 regionally via interactive television, in person at workshops and
34 conferences and online as Internet-based teaching tools.

35 By February 1, 2006 the commissioner shall report to the
36 Joint Standing Committee on Education and Cultural Affairs on the
37 subcommittee's progress in developing model policies, procedures
38 and training materials.

39 **Sec. 5. Implementation of policies and procedures to address**
40 **bullying, harassment and sexual harassment.** School administrative
41 units shall establish or modify policies and procedures

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 419, L.D. 564

2 to address bullying, harassment and sexual harassment in a manner
3 consistent with the model policies developed in accordance with
4 section 4. Each school administrative unit must have such
5 policies and procedures in place by September 1, 2006.'

6
7
8

SUMMARY

9 This amendment replaces the bill. It requires school boards
10 to establish policies to address bullying, harassment and sexual
11 harassment. It directs a subcommittee of the Children's Cabinet
12 to develop model policies, materials for communicating and
13 implementing the model policies and training modules specific to
14 recognizing and addressing bullying, harassment and sexual
15 harassment. It directs the subcommittee to complete its work by
16 February 15, 2006 and school administrative units to have
17 policies and procedures in place by September 1, 2006.

18
19
20

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 564

LR 1938(02)

An Act To Amend the Laws Governing the Student Code of Conduct

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Current Costs - State Mandate

State Mandate

New or Expanded Activity

Requiring school administrative units to establish or modify policies and procedures to address bullying, harassment and sexual harassment by September 1, 2006 is a mandate. The cost to individual school units can not be determined at this time but is not expected to be significant.

Unit Affected

School

Costs

Insignificant

Fiscal Detail and Notes

The additional costs to the Maine Children's Cabinet and the Department of Education to develop the required models and materials by February 15, 2006 can be absorbed within existing budgeted resources.