

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)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 564

H.P. 419

House of Representatives, February 3, 2005

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

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative GROSE of Woolwich.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: CANAVAN of Waterville, CUMMINGS of Portland, HUTTON of
Bowdoinham, MAKAS of Lewiston, PINGREE of North Haven, SYKES of Harrison,
WALCOTT of Lewiston, WEBSTER of Freeport.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 20-A MRSA §1001, sub-§15, ¶A,** as enacted by PL 1999,
5 c. 351, §2, is amended to read:

6 A. Define unacceptable student behavior, including, but
7 not limited to, behavior that negatively affects a student's
8 ability to perform academically or socially, such as:

9 (1) Bullying, which means intentional, aggressive,
10 repeated and hurtful behavior perpetrated over time;

11 (2) Harassment, which means intentional, repeated and
12 hurtful verbal or nonverbal actions or expressions
13 perpetrated over time; and

14 (3) Sexual harassment, which means intentional,
15 repeated and sexual verbal or nonverbal actions or
16 expressions categorized as either:

17 (a) Quid pro quo sexual harassment, which is when
18 the perpetrator forces the victim to perform a
19 favor or assume some responsibility for the
20 harassment; or

21 (b) Hostile-environment sexual harassment, which
22 is when the perpetrator's behavior affects the
23 victim's ability to perform effectively in the
24 school environment;

25 **Sec. 2. 20-A MRSA §1001, sub-§15, ¶F,** as amended by PL 2001,
26 c. 644, §1, is further amended to read:

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

32 **Sec. 3. 20-A MRSA §1001, sub-§15, ¶G,** as enacted by PL 1999,
33 c. 351, §2, is amended to read:

34 G. Establish guidelines and criteria concerning the
35 appropriate circumstances when the superintendent or the
36 superintendent's designee may provide information to the
37 local police or other appropriate law enforcement
38 authorities regarding an offense that involves violence
39 committed by any person on school grounds or other school
40 property; and

41 **Sec. 4. 20-A MRSA §1001, sub-§15, ¶H** is enacted to read:

2 H. Provide training for students to prevent and identify
3 incidents of bullying, harassment and sexual harassment as
4 defined in paragraph A.

6

8

SUMMARY

10 This bill adds to the requirements for school boards'
11 student codes of conduct by including in the description of
12 unacceptable behavior bullying, harassment and sexual harassment;
13 including counseling as part of the procedures concerning the
14 removal of disruptive or violent students; and including training
 of students in ways to prevent and identify bullying, harassment
 and sexual harassment.