

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)



123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2131

H.P. 1510

House of Representatives, January 7, 2008

**An Act To Implement the Recommendations of the Legislative
Youth Advisory Council with Respect to Educational and
Organizational Matters**

Reported by Representative MUSE of Fryeburg for the Legislative Youth Advisory Council pursuant to the Maine Revised Statutes, Title 3, section 168-A.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

2 **Sec. 1. 3 MRSA §168-A, sub-§1, ¶D**, as amended by PL 2003, c. 20, Pt. F, §2, is
3 further amended to read:

4 D. Meet at least 3 times but not more than 6 times per year, including not more than
5 2 public hearings on issues of importance to youth, except that the council may meet
6 more than 6 times per year, at times and at locations of its choice, if those additional
7 meetings are funded entirely from outside funding sources approved by the
8 Legislative Council under subsection 11; and

9 **Sec. 2. 3 MRSA §168-A, sub-§1, ¶E**, as amended by PL 2005, c. 616, Pt. B, §1,
10 is further amended to read:

11 E. Report biennially to the Legislative Council on its activities by ~~December 1st~~
12 ~~preceding each second regular session of the Legislature~~ the first business day in
13 February of each even-numbered year. The council may submit proposed legislation
14 as part of its report to the Legislative Council to implement its recommendations.

15 **Sec. 3. 20-A MRSA §1001, sub-§15**, as amended by PL 2005, c. 307, §§1 to 3,
16 is further amended to read:

17 **15. Adoption of student code of conduct.** With input from educators,
18 administrators, parents, students and community members, they shall adopt a ~~district-~~
19 ~~wide~~ districtwide student code of conduct consistent with the statewide standards for
20 student behavior developed under section 254, subsection 11. The student code of
21 conduct must:

22 A. Define unacceptable student behavior;

23 B. Establish standards of student responsibility for behavior;

24 C. Prescribe consequences for violation of the student code of conduct, including
25 first-time violations, when appropriate;

26 D. Describe appropriate procedures for referring students in need of special services
27 to those services;

28 E. Establish criteria to determine when further assessment of a current individual
29 education plan is necessary, based on removal of the student from class;

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

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

1 H. Establish policies and procedures to address bullying, harassment and sexual
2 harassment.

3 A student code of conduct may include provisions allowing for the use of a districtwide
4 cocurricular honor contract.

5 The school board is responsible for ensuring that school officials inform students, parents
6 and community members of the student code of conduct.

7 **Sec. 4. Minimum standards for cocurricular honor contracts; rules.** In
8 consultation with the State Board of Education, school administrators, teachers and
9 parents and other interested local officials and community members, the Commissioner of
10 Education shall, by January 1, 2009, adopt rules establishing minimum standards for
11 cocurricular honor contracts, which may be adopted by school boards under the
12 provisions of the Maine Revised Statutes, Title 20-A, section 1001, subsection 15. Those
13 minimum standards must include, but are not limited to, specifying the types of behavior
14 that must be covered by such contracts, the extent to which the contracts may cover
15 behavior of students while off school grounds and not engaged in school-sponsored
16 activities, the standards to be used by the school to determine whether a student has
17 violated the cocurricular contract and standards ensuring that cocurricular honor
18 contracts, if adopted by a school board, be enforced consistently and fairly among all
19 students. Rules adopted under this section are major substantive rules under the
20 provisions of Title 5, chapter 375, subchapter 2-A.

21 **SUMMARY**

22 This bill allows the Legislative Youth Advisory Council to meet more than 6 times
23 per year if those additional meetings are funded by outside funding sources approved by
24 the Legislative Council and extends the biennial reporting date of the Legislative Youth
25 Advisory Council from December 1st in each odd-numbered year to the first business day
26 in February in each even-numbered year.

27 The bill also amends the law governing the duties of school boards to allow, but not
28 require, a school board to include a cocurricular honor contract as part of its districtwide
29 code of conduct. The bill also directs the Commissioner of Education to adopt major
30 substantive rules governing the minimum standards for cocurricular honor contracts if a
31 school board chooses to include a cocurricular honor contract as part of the district's code
32 of conduct.