

# MAINE STATE LEGISLATURE

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L.D. 2204

Date: 3/30/24

(Filing No. S-600)

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE**

**SENATE**

**132ND LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 897, L.D. 2204, "An Act to Allow Schools to Expel Students for Committing Sexual Assault"

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

**'Resolve, Directing the Department of Education to Develop Guidance for School Leaders to Ensure Supportive Measures for Young Students Involved in Challenging, Disruptive or Unsafe Behaviors'**

Amend the bill by striking out everything after the title and inserting the following:

**'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and**

**Whereas, young students in preschool through grade 5 are in critical stages of social, emotional and behavioral development; and**

**Whereas, challenging, disruptive or unsafe student behaviors may arise from developmental challenges, trauma, disability, unmet social-emotional needs or environmental stressors; and**

**Whereas, schools must ensure that responses to such behaviors support both the student exhibiting the behavior and the students affected by the behavior; and**

**Whereas, school administrators and educators benefit from clear guidance regarding supportive, developmentally appropriate and evidence-based practices; and**

**Whereas, timely development of such guidance will assist school administrative units in promoting safe, inclusive and supportive learning environments; and**

**Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it**

**COMMITTEE AMENDMENT**

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1       **Sec. 1. Department of Education to develop guidance. Resolved:** That the  
2 Department of Education, referred to in this resolve as "the department," shall develop and  
3 disseminate guidance for school administrative units and school leaders regarding the  
4 implementation of supportive measures for students up to 11 years of age who exhibit or  
5 are affected in school settings by challenging, disruptive or unsafe student behaviors,  
6 including aggressive or sexualized behaviors.

7       **Sec. 2. Scope of guidance. Resolved:** That the guidance developed pursuant to  
8 section 1 must include, but is not limited to, the following:

9           1. Developmentally appropriate responses to student behaviors for students in  
10 preschool through grade 5;

11           2. Trauma-informed and restorative practices that emphasize prevention, de-escalation  
12 and relationship building;

13           3. Supportive interventions designed to assist students exhibiting challenging,  
14 disruptive or unsafe behaviors while maintaining the safety and well-being of other  
15 students and school staff;

16           4. Strategies to support students affected by challenging, disruptive or unsafe  
17 behaviors, including aggressive or sexualized behaviors, to ensure classroom supports and  
18 communication with families;

19           5. Guidance on collaboration with school counselors, psychologists, social workers,  
20 special education staff and community-based behavioral health providers;

21           6. Recommendations for professional development for educators and school  
22 administrators related to early childhood behavioral development and positive behavioral  
23 supports; and

24           7. Strategies to reduce exclusionary discipline for young students while maintaining  
25 safe and orderly learning environments.

26       **Sec. 3. Stakeholder consultation. Resolved:** That, in developing guidance  
27 pursuant to section 1, the department shall consult with stakeholders, including, but not  
28 limited to, the following:

29           1. School administrators and educators from elementary schools;

30           2. School psychologists, counselors and social workers from elementary schools;

31           3. Experts in child development and behavioral health;

32           4. Parents and guardians of students up to 11 years of age;

33           5. Organizations representing educators and school personnel, including, but not  
34 limited to, the Maine School Management Association and the Maine Education  
35 Association; and

36           6. Representatives of child advocacy and mental health organizations.

37       **Sec. 4. Dissemination and technical assistance. Resolved:** That the  
38 department shall disseminate the guidance developed pursuant to section 1 to school  
39 administrative units no later than the beginning of the 2026-2027 school year. The  
40 department shall make the guidance publicly available and provide technical assistance to  
41 school administrative units to support implementation of the recommended practices.

# COMMITTEE AMENDMENT

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**Sec. 5. Report. Resolved:** That, no later than January 15, 2027, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over education matters summarizing the guidance developed pursuant to this resolve and any recommendations for legislation or additional resources needed to support school leaders in implementing supportive measures for young students. The joint standing committee may report out a bill to the 133rd Legislature in 2027.

**Sec. 6. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF  
School and Student Supports Z270**

Initiative: Provides one-time funding for the development and dissemination of guidance related to supportive measures for young students who exhibit or are affected by challenging, disruptive or unsafe behaviors and technical assistance to support implementation of the recommended practices.

<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
All Other	\$15,000	\$0
<b>GENERAL FUND TOTAL</b>	<u>\$15,000</u>	<u>\$0</u>

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment replaces the bill with a resolve. The amendment directs the Department of Education to develop guidance related to supportive measures for young students who exhibit or are affected by challenging, disruptive or unsafe behaviors in school settings. The amendment provides that the guidance must include, but is not limited to, developmentally appropriate behavioral responses for young students; trauma-informed and restorative practices; supportive interventions; strategies to support students affected by challenging, disruptive or unsafe behaviors, including aggressive or sexualized behaviors; guidance on collaboration with appropriate school personnel and mental health professionals; recommendations for professional development; and strategies to reduce exclusionary discipline for young students. The amendment requires the department to develop this guidance in consultation with stakeholders. The department must disseminate the guidance to schools no later than the beginning of the 2026-2027 school year and provide technical assistance to support implementation of recommended practices. The department must also submit a report to the joint standing committee of the Legislature having jurisdiction over education matters by January 15, 2027 summarizing the guidance.

**ROS**

COMMITTEE AMENDMENT "A" to S.P. 897, L.D. 2204 (S-600)

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The joint standing committee is authorized to report out a bill to the 133rd Legislature in 2027.

The amendment also provides a one-time appropriation of \$15,000 to the Department of Education to develop and disseminate guidance as required by this amendment and provide technical support to implement recommendations.

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 132nd MAINE LEGISLATURE

LD 2204

LR 2978(02)

## An Act to Allow Schools to Expel Students for Committing Sexual Assault

Fiscal Note for Bill as Amended by Committee Amendment "A" (S. 6000)  
 Committee: Education and Cultural Affairs  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
<b>Net Cost (Savings)</b>				
General Fund	\$15,000	\$0	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$15,000	\$0	\$0	\$0

#### Fiscal Detail and Notes

This resolve includes a one-time General Fund appropriation to the Department of Education of \$15,000 in fiscal year 2025-26 to develop, in consultation with stakeholders, guidance related to supportive measures for young students who exhibit or are affected by challenging, disruptive, or unsafe behaviors, disseminate the guidance to schools no later than the beginning of the 2026-27 school year, and provide technical assistance to support implementation of recommended practices.