

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 combination of electronic originals
and scanned originals with text recognition applied
(electronic original may include minor formatting differences from printed original;
searchable text in scanned originals may contain some errors and/or omissions)

**STATE OF MAINE
119TH LEGISLATURE
FIRST REGULAR SESSION**

**Final Report
of the**

**Task Force to Study the Implementation
of Alternative Programs and Interventions
for Violent and Chronically Disruptive Students**

February 2000

Staff:

Phillip D. McCarthy, Ed.D., Legislative Analyst

Office of Policy & Legal Analysis

13 State House Station

Augusta, Maine 04333

(207) 287-1670

Members:

Sen. Mary R. Cathcart, Chair

Rep. Shirley K. Richard, Chair

Sen. Georgette B. Berube

Sen. Paul T. Davis

Rep. James H. Tobin, Jr.

Rep. Daniel B. Williams

Elizabeth Baker

Kathryn Gaiainguest

Dianne Hoff

Table of Contents

Page

Executive Summary	i
I. Introduction.....	1
II. Summary of Key Findings.....	5
III. Recommendations	18

Appendices

- A. Senate Paper 598, Joint Order to Establish the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students**
- B. Task Force Membership**
- C. P. L. 1999, chapter 351: An Act to Implement the Recommendations of the Commission to Study Providing Educators With More Authority to Remove Violent Students from Educational Settings**
- D. Work Plan: Goals, Tasks and Information Needed**
- E. Maine Youth Violence Prevention Resources**
- F. Coordinated School Health Programs**
- G. The Maine Children’s Cabinet**
- H. Individuals Providing Testimony: Experts, Practitioners, Resource People and Interested Parties**

Executive Summary

The Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students was established in the First Regular Session of the 119th Legislature by Joint Study Order, S.P. 598, passed on June 5, 1999. The 9 members of the Task Force included six individuals representing the Legislature and three public members, including an educator, a contracted services provider and a student, each of whom has specific expertise, knowledge and background in violence prevention and intervention programs or alternative educational settings.

The Task Force was established to study the implementation of alternative programs and interventions in schools and communities across the State. The Task Force was specifically charged with the following duties:

1. Study the availability of a continuum of interventions for violent and chronically disruptive students, including the existence of positive behavioral supports in classrooms, the availability of alternative educational settings and alternative community placements;
2. Request the assistance of appropriate state agencies and educational institutions and invite the participation of experts and interested parties; and
3. Recommend a plan, strategies and any necessary legislation to develop an appropriate continuum of interventions for violent and chronically disruptive students, including the availability of alternative educational settings and alternative community placements.

The Task Force was convened on September 16, 1999, met six additional times and received information from several panels of experts and interested parties. The following recommendations were approved at the final meeting on January 3, 2000:

Task Force Recommendations

1. Improve State-level Coordination of the Child and Family Service System and Integrate Programs and Services with the Local Public Schools

The Task Force recommends that the Governor's Children's Cabinet (Cabinet) should be authorized by state law, and that the expectation of inter-agency program coordination and the use of so-called "pooled-flexible funds" to maximize limited resources, should also be endorsed in state law. In addition, State funds should be authorized and appropriated for a coordinator position which could undertake projects or tasks that support the mission of the Cabinet to create and promote coordinated policies, programs and service delivery within the child and family service system.

The Task Force further recommends that the Cabinet establish a "civil and caring schools" initiative that should be designed in partnership with regional children's cabinet

stakeholders and local public school officials to focus on coordinating and integrating the screening, referral, and service delivery practices of the regional child and family service system with those of the local public school systems. Finally, the Task Force recommends that the Cabinet should embark on a statewide public awareness campaign to increase the level of knowledge and understanding of the various cabinet initiatives.

2. Implement the Statewide Standards of Responsible and Ethical Student Behavior Developed by the Department of Education; and Hold Local School Administrative Units Accountable for Implementing District-wide Student Conduct Codes

The Task Force recommends that the Joint Standing Committee on Education and Cultural Affairs (Education Committee) review the progress of the Department of Education (DOE) in developing statewide standards for responsible and ethical student behavior pursuant to Public Law 1999, c. 351. The Task Force further recommends that the Education Committee work with the DOE and representatives of educational stakeholder groups to ensure that local school board and school administrative unit officials across the State receive technical assistance and training on the “best practices” in prevention and intervention programs that can support successful implementation of the district-wide student conduct codes recently enacted into State law.

3. Provide Training to Build the Early Intervention Capacity of Elementary School Educators to Respond Immediately to Incidents Involving Chronically-disruptive or Violent Student Behavior

The Task Force recommends that one-time funds should be appropriated to the DOE to implement a grant program targeted towards enhancing the early intervention capacity of elementary school educators in school administrative units across the State. Grant funds would be used by elementary schools to provide training to existing school personnel who would intervene as “first responders” when a behavioral crisis incident involved a chronically-disruptive or violent student. “First responder” training could include the following elements:

- ❖ Local school officials would determine which elementary school personnel should receive “first responder” training;
- ❖ “First responders” could provide an element of rapid response to the scope of an existing “student assistance team,” and could work in concert with school prevention and intervention programs to produce protective and positive interventions;
- ❖ “First responders” could acquire expert knowledge of the array of school-based and community-based resources that may be developed as part of an intervention plan for a chronically disruptive or violent student; and
- ❖ “First responders” could be trained in the design of “bridge strategies” to support school and home interventions that can result in successful behavioral changes.

4. Incorporate Competency in Conflict Management Education as Part of Teacher and Administrator Certification

The Task Force recommends that the State Board of Education (SBE) and the DOE incorporate knowledge of conflict management education concepts and skills as part of standards-based initial teacher certification and administrator certification; and that the SBE and the DOE should also consider requiring knowledge of conflict management education as part of standards-based re-certification of teachers and administrators.

5. Support Conflict Management Education and Civil Rights Team Programs in Public Schools

The Task Force recommends that the Legislature should appropriate additional funding to support the establishment of conflict management education and civil rights team initiatives in our public schools, as well as sustain existing programs. Support of LD 1305, which was carried over to the 2nd Regular Session of the 119th Legislature, would provide \$100,000 to the DOE to create a grant program to fund training for an additional 20 conflict management education programs and peer mediation programs in public schools; and would also provide \$50,000 to the Department of the Attorney General to support the training and establishment of additional Civil Rights Team programs in public schools. The Task Force further recommends that LD 1305 should be amended to include a provision that provide teachers and administrators who participate in conflict management education or civil rights team training with appropriate credit for such training as they seek to initially acquire or renew their professional license.

6. Encourage Initiatives and Efforts That Can Strengthen the Parent-School Partnership

The Task Force recommends that school officials strive to involve parents in an active and ongoing partnership with educators to benefit their children's education and development. Each public school should create a family-friendly climate that can encourage and support parental involvement. Educators should engage parents in positive school experiences as early as possible.

7. Support the Availability of Alternative Education Programs for Students “At-Risk”

The Task Force recommends that state and local educational policymakers continue to support the availability of alternative education programs for students “at-risk.” While unable to reach consensus on specific recommendations about the type of alternative delivery system that should be available to provide educational programs and support services to chronically-disruptive and violent students who are placed in an alternative education setting, the Task Force supports the existing array of public and publicly-assisted alternative education programs that provide a variety of learning environments for students whose academic needs are not met by conventional public school programs.

I. INTRODUCTION

The Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students was established during the First Regular Session of the 119th Legislature by Joint Study Order, S.P. 598. A copy of the joint order is attached as **Appendix A**. The joint study order established a task force consisting of nine members: six Legislators, including two members each from the legislative joint standing Committees on Education and Cultural Affairs, Health and Human Services and Criminal Justice; and three public members, including an educator, a contracted services provider and a student, each of whom has specific expertise, knowledge and background in violence prevention and intervention programs or alternative educational settings. The Task Force membership is listed in **Appendix B**.

Charge to the Task Force

The Task Force was charged with developing a plan to address the growing concern of disruption and violence in the public schools. In examining the issues relating to school disruption and violence, the Task Force was authorized to conduct public hearings to receive testimony on the incidence of disruptive student conduct and violent behavior in the public schools throughout the State. The Task Force was assigned with the following duties:

1. Study the availability of a continuum of interventions for violent and chronically disruptive students, including the existence of positive behavioral supports in classrooms, the availability of alternative educational settings and alternative community placements;
2. Request the assistance of state agencies and educational institutions, and invite the participation of experts and interested parties; and
3. Recommend a plan and strategies to develop an appropriate continuum of interventions for violent and chronically disruptive students.

The Task Force was also charged with recommending any necessary legislation to create an appropriate continuum of interventions for violent and chronically disruptive students, including the availability of alternative educational settings and alternative community placements. The Joint Standing Committee on Education and Cultural Affairs has authority to introduce legislation during the Second Regular Session of the 119th Legislature to implement the Task Force plan and recommendations.

Scope and Focus of Task Force Meetings

The Task Force was convened on September 16, 1999 and held six additional meetings on the following dates: October 4, 1999; October 21, 1999; November 16, 1999; November 30, 1999; December 13, 1999; and January 3, 2000. The Task Force used the first meeting to review the legislative intent, to discern the purposes

of the study and to formulate a work plan. The Task Force decided to focus the next three meetings on gathering information about the following issues:

- ❖ Teacher and administrator preparation programs, certification requirements and professional development practices related to providing educational personnel with the capacity to implement effective violence prevention and intervention programs, including classroom management skills and positive behavioral supports;
- ❖ The type of challenging behaviors and the array of preventive and interventive school responses to chronic student misconduct and violent behavior;
- ❖ The scope of alternative education programs established by public schools, as well as alternative programs provided by independently-operated schools and alternative placements available in other community-based settings;
- ❖ Overview of Federal special education laws (IDEA) and state regulations related to student misconduct incidents involving exceptional students;
- ❖ Best practices related to successful programs and strategies for involving parents in their children's schools; and
- ❖ Overview of community-based responses (prevention and intervention) to youth misbehavior, misconduct and violence

Each of the Task Force meetings included one or more panel discussions and also provided an opportunity for Task Force members to deliberate on the testimony provided by panelists. Invited panelists included representatives from the Department of Education, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Communities for Children initiatives, the College of Education & Human Development at the University of Maine and the University of Southern Maine, superintendents, school principals, alternative educators, disability rights advocate, community advocates, conflict management educators and peer mediation groups.

During its fifth meeting, the Task Force members discussed the range of perspectives and information provided to them; and invited a panel of superintendents to provide additional perspective to their deliberations. At its final three meetings, the Task Force members reviewed the information presented, deliberated on a set of findings and conclusions and formulated recommendations.

The enabling legislation established December 15, 1999, as the reporting date of the Task Force to the Joint Standing Committee on Education and Cultural Affairs of the 118th Legislature. Due to the abbreviated time period in which the Task Force had to complete its work after the September 14, 1999 convening date, the Task Force petitioned the Legislative Council for an extension of the reporting deadline and was granted an extension until January 14, 2000.

Background

With the enactment of Resolves 1997, chapter 119, the 118th Legislature established the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings (“Commission”) during the Second Special Session. The Legislature charged the Commission to review district-wide school disciplinary policies, procedures and practices that address disruptive student conduct and violent behavior in the public schools in the State. The Commission was further directed to develop a plan addressing the growing concern of violence in the public schools and to submit its report with any accompanying legislation to the Joint Standing Committee on Education and Cultural Affairs of the 119th Legislature.

The Commission recommendations led to several bills that were considered by the Education Committee during the First Regular Session of the 119th Legislature. Public Law 1999, Chapter 351, enacted “An Act to Implement the Recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings.” A copy of Public Law 1999, Chapter 351 is attached as **Appendix C**. This law established the following requirements:

1. It requires the Commissioner of Education, in consultation with educational stakeholders, to develop statewide standards of responsible and ethical student behavior;
2. It requires local school boards, with input from educators, parents, students and community members, to adopt a district-wide code of conduct for their students. The district-wide code of conduct adopted by the school board must:
 - Define unacceptable student behavior, establish standards for student responsibility and prescribe consequences for conduct code violations;
 - Describe appropriate referral procedures for students in need of special services and establish criteria to determine when further review of an the individual education plan is necessary for a student removed from class;
 - Establish procedures concerning the removal of disruptive or violent students from class or a school bus and consider input by teachers and other educational personnel regarding student disciplinary and placement decisions; and
 - Establish guidelines concerning the circumstances when a superintendent may provide information to law enforcement authorities regarding a violent incident committed on school grounds or property.
3. It requires local school boards, in consultation with public safety, mental health and law enforcement officials, to develop a crisis response plan for violent or potentially violent situations in each of its schools;
4. It mandates that educational records follow any student who transfers to a school within the State from another school administrative unit or from out of state. The

law provides for more timely reporting of student records between schools and provides that school administrative units retain discretion as to the admission of a student who has been suspended or expelled or is presently the subject of an expulsion proceeding;

5. It amends the existing "anti-hazing" statute to include protections for educational personnel as well as for students, and also expands the definition of "injurious hazing" to include harassment; and
6. It provides for immunity protections for school personnel.

The Education Committee also reported out two other bills related to recommendations of the Commission during the 1st Session of the 119th Legislature: (1) L.D. 1305, An Act to Establish and Fund Conflict Resolution Education and Civil Rights Team Programs in the Public Schools; and (2) Senate Paper 598, a Joint Order to Establish the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students. While L.D. 1305 was ultimately carried-over to the 2nd Session of the 119th Legislature, Senate Paper 598 was passed by both bodies of the Legislature.

II. SUMMARY OF KEY FINDINGS

In establishing this Task Force, the Legislature sought to focus the study on collecting available information that would inform the Legislature about existing State and local efforts to implement programs and services that seek to prevent or respond to disruptive and violent student behavior. In examining these initiatives, the Task Force members began by reviewing the public educational system, including school-based programs and alternative education programs, before moving on to statewide and local community-based programs that involved jurisdictions of other child- and family-serving agencies throughout the State. The Task Force work plan is included in **Appendix D**.

Summary of Key Findings Regarding the Availability of Interventions for Chronically Disruptive and Violent Student Behavior

The following sections summarize the data collected and the information received by Task Force members related to the duties charged to the Task Force to study the availability of a continuum of interventions for violent and chronically disruptive students, including: (1) the type of challenging behaviors presented by chronically disruptive and violent students; (2) the array of interventions developed by schools in response to chronic student misconduct and violent behavior; (3) the availability of alternative educational settings and (4) the availability of alternative community placements. A list of Maine Youth Violence Prevention Resources is presented in **Appendix E**.

1. The Type of Challenging Behaviors Presented by Chronically Disruptive and Violent Students

Challenging behaviors. Faculty at the University of Maine documented the concerns cited by 33 Maine principals regarding “challenging behaviors” of students in kindergarten through grade 12 during the 1997-98 school year. In reviewing the research literature for this case study, researchers noted that frustration and stress, modeling and the media, substance abuse and socialization were cited as factors that may contribute to challenging behaviors presented by school-aged youth. The most frequently cited challenging behavior presented by Maine students included:

- ❖ Aggression -- behavior that physically hurts others such as fighting, throwing objects, kicking, assaulting and ripping things off walls;
- ❖ Defiance -- opposition to rules, directives or expectations of teachers and school officials; and
- ❖ Harassment -- intimidation, name calling, verbal and physical harassment and bullying.

The University of Maine case study also identified school responses and strategies to address these challenging behaviors, including consultants and counselors coming into

the school for training and intervention with teachers and children in conflict resolution education and peer mediation, social skills training, alternative programs, crisis intervention and training.

“Wits end kids”. A Task Force member with expertise in dealing with chronically disruptive and violent student behavior shared a term that aptly describes the impact of their misbehavior – “wits end kids.” Task Force members adopted this designation as they became more familiar with the propensity of these children to drive educators to their “wits end” as they seek out appropriate measures to address their misconduct. The following descriptions more specifically characterize the type of chronically disruptive and violent student behavior that educators encounter in our schools:

- ❖ *Children with disruptive and moderately violent behavior* might typically display the following behaviors: frustration, frequent verbal outbursts, difficulty following rules and staying on task, arguing and testing authority, stubbornness, bothering others, and aggression against person or property, usually with real or imagined provocation.

These children are very challenging, but typically have behaviors that can be positively influenced with high-quality classroom management and behavioral intervention plans. Programs such as peer mediation and adult conflict management or counseling are also often effective with these behaviors.

- ❖ *Children with severely disruptive and violent behavior* might typically display the following behaviors: general hostility toward others, assault/aggression against person or property, verbal harassment, rage, defiance of authority, violation of norms and values of society (e.g., torturing pets, fixation on death), and showing no remorse.

These children represent approximately 2% - 4% of the school-aged population. They typically have behaviors that are resistant to change, even when the students are in settings that provide high-quality classroom management and behavioral intervention plans. These are students who require intensive behavioral support and intervention. In addition, they often require a well-coordinated system of care that involves the entire school, the child’s family and community service agencies.

If permitted, a very small group of disruptive students (2%) can create havoc in a school by influencing the actions of the 98% who behave appropriately. Individuals in the small group may be so dysfunctional that initially they cannot succeed in a regular classroom setting. They may lack the skills and trust to succeed at anything other than disruption and can set a trend for the actions of the majority if immersed directly in school programs. Intervention taking place outside the classroom is often necessary first.

2. The Array of School-based Interventions and the Availability of Positive Behavioral Supports for Chronic Student Misconduct and Violent Behavior

State-wide student conduct and responsibility standards and local district-wide codes of conduct. With the enactment of Public Law 1999, Chapter 351, the Department of Education was directed to consult with representatives of appropriate education stakeholder groups in the development of statewide standards for responsible and ethical student behavior. The Department is required by law to report these standards to the Education Committee during the Second Regular Session of the 119th Legislature. Public Law 1999, Chapter 351, also requires that -- beginning in September, 2000 -- every school administrative unit in the State should implement district-wide student conduct codes for all students with clearly defined consequences at the building level for unacceptable behavior, including physical violence and verbal harassment.

The Task Force finds that these statewide standards should be established in a timely fashion so that local school officials can benefit from this guidance as school administrative units design and implement district-wide student conduct codes for the academic year beginning in September, 2000. While local school officials retain authority to determine how their school curriculum and student conduct codes will comply with statewide student conduct standards, the law also requires schools to report any and all violent and harmful incidents to the Department of Education on an annual basis. The Task Force endorses this effort as an important step in identifying and monitoring the incidence of harmful and violent behaviors in Maine schools.

Teacher and administrator preparation programs, certification requirements and professional development practices. Given the daunting challenges presented by such chronically disruptive and violent student behavior, the Task Force reviewed the state of teacher and administrator preparation programs, certification requirements and professional development practices with an eye toward understanding how current policies and programs provide educational personnel with the capacity to implement effective violence prevention and intervention programs, including classroom management skills and positive behavioral supports.

A panel of faculty members from the University of Maine and the University of Southern Maine described current research strands in teacher preparation for classroom management, and the infusion of classroom management skill development in their respective teacher preparation programs. These faculty members offered the following observations on initial teacher training:

- ❖ The focus of teacher preparation programs for beginning teachers is establishing productive learning environments where the “teacher as architect” designs the classroom program and environment and the “teacher as observer” conceptualizes prevention, analyzes the situation and intervenes as needed;
- ❖ There are no specific undergraduate courses in classroom management, but classroom management is an important strand in the overall teacher preparation

program; pre-service teachers also work with behavioral specialists in child development and special education courses;

- ❖ Initial teacher candidates are immersed in 100 hours of field experience during their undergraduate coursework, including a student teaching practicum during their senior year; and as observers and as student teachers, they learn about the array of school and community resources available to address misconduct and violent behavior encounter disruptive student behavior;
- ❖ When new areas of educator training are identified, such as dealing with chronically disruptive or violent student behavior, coursework is malleable to current issues and trends in education and can work for both teacher and administrator preparation programs; and
- ❖ Recommend cohort programs as part of recruitment efforts to attract teacher and administrator candidates; also support the alignment of program curriculum and fieldwork with performance-based standards that seek to develop appropriate skill sets for standards-based public education.

Regarding “best practices” in teacher preparation for effective classroom management, these faculty members indicated that instructional program and classroom management are interconnected; and that effective teachers structure the learning environment, possess “with-it-ness” described as an awareness of all activity in the classroom and have the ability to motivate and engage students. Panelists also offered the following perspectives:

- ❖ Best practices in classroom management are moving away from “controlling” student behavior and moving toward “enabling” student learning;
- ❖ With respect to difficult-to-teach students, teaching and social strategies dovetail together;
- ❖ Behavior modification can make a difference for chronically disruptive students when timely and appropriate consequences are introduced by teachers and supported by the events that follow;
- ❖ Effective teaching strategies and positive behavioral intervention strategies have been the focus of University-sponsored summer institutes and professional development programs; and
- ❖ Educator awareness of “hardware” measures (e.g., metal detectors, security cameras) and “software” measures (e.g., early childhood care, pro-social skills training and conflict resolution education) has recently been heightened, yet teachers need both “hard” and “soft” initiatives for safe schools, but professional development programs to address challenging behaviors are often squeezed out of training budgets.

Array of school-based prevention and intervention initiatives developed to respond to chronically disruptive and violent student behavior. Testimony received by the Task Force demonstrated that schools are implementing a variety of responses to the growing incidence of challenging student behavior. Panels including faculty members, state agency personnel and local school superintendents provided the following perspectives regarding school-based prevention and intervention initiatives:

- ❖ Schools should be places where kids feel safe and cared for and learn to care for others;
- ❖ The focus of state and federal resources and programs must shift to early intervention initiatives in pre-school and elementary school since it is often too late to address chronically disruptive or violent behavior in the middle or secondary school years;
- ❖ State policymakers should establish standards for program effectiveness while targeting resources at the local level and allowing school officials to adapt programs to local contexts;
- ❖ With the infusion of federal funds and through the leadership of the Department of Education and the Department of Human Services staff, Maine is developing the infrastructure for a coordinated school health program (see **Appendix F**) that would provide wraparound service delivery to remove barriers to learning and to encourage students to adapt healthy lifestyles and behaviors;
- ❖ Whatever approach schools take to deal with disruptive students, a whole school approach is more effective. Students should get the same message about proper behavior on the bus, in the cafeteria, on the playground, in gym and at extra-curricula activities as in the classroom;
- ❖ Recognizing and dealing with peer rejection and marginalization of vulnerable students at the elementary level is very important. One of the greatest needs schools face in this area is to provide more guidance counselors in elementary schools and to enable them to do more counseling, rather than performing administrative duties such as compiling test scores. Additional Educational Technicians could perform the more routine functions now done by counselors;
- ❖ Preference should be to first require provision of positive support before making alternative placements. “Positive behavioral supports” are programs that provide a positive alternative to understand what is the communicative intent of the misbehavior and to find an alternative manner in which to support the child. The source of the misconduct may be a core academic problem and may need professional diagnosis;

- ❖ Teachers should model, and incorporate into the curriculum, desirable behavior (civility, respect and compassion). If this part of the system of learning results is not adequately represented throughout the curriculum, it should be fully incorporated. Certification and recertification standards should reflect these skills as well;
- ❖ Local school leaders (principals, superintendents and school boards) should actively support the implementation of humane education practices in their schools. Individual teachers cannot affect the whole school environment; and
- ❖ Education is a community endeavor, school leaders must first engage and involve community members since these problems can't be resolved independent of parents, community members, social agencies and civic and religious organizations.

Task Force members acknowledged the good news that 95% - 98% of Maine students are doing great work in our schools and communities. For those chronically disruptive and violent students, Task Force members were heartened to hear that the resiliency research identifies 3 factors as critical in turning around wayward youth: (1) establish high expectations; (2) know your students and (3) provide opportunities for involvement. Testimony was also provided that reflected the following array of school-based initiatives and programmatic efforts that embrace one or more of these factors:

- ❖ Over 200 Maine schools (approximately 50%) have developed a Student Assistance Teams (SAT) over the past 11 years; and Maine is recognized nationally for this accomplishment and the SAT training manual. Student assistance teams are trained to deal with pre-referral interventions such as the design of positive behavioral supports and behavior modification as intermediate steps before a student is referred for disciplinary action or to a pupil evaluation team for assessment and placement in a special education program;
- ❖ Peer mediation is another approach that has worked in schools across the U.S.; successful programs depend on firm procedural guidelines, proper training for peer mediators and recruitment of a representative cross section of the student population as mediators. Grants often provide start-up funds for schools that are doing peer mediation. There are some on-going costs for staff coordinators. Some schools pay stipends to teachers; some grant compensatory time to participate in the program; and others rely on volunteers. A team approach spreads the burden. On-going staff training is needed;
- ❖ Maine schools have over 2,000 peer educators; over 100 peer mediation programs started in Maine schools over last 7 years; peer mediation, often part of a conflict management program, is a peacemaking process where students learn to express emotions and develop communication, problem-solving and conflict-resolution skills. Research findings indicate peer mediation reduces conflict and aggressiveness, increases perspective taking, improves staff and student

perspectives of school environment; however, impact on suspensions and violent incidents is still unclear;

- ❖ The Attorney General's Civil Rights Team Project began in 1996 with 18 schools, grew to 56 schools in 1997 and topped 100 schools by 1998; Attorney General officials provide 40-60 in-service training programs per year; the program purpose is to raise awareness and encourage early reporting of acts of harassment. Power of the Civil Rights Teams come from developing peer role models and encouraging youth to stand up and do the right thing; a growing nucleus of peer role models can change culture in schools; and
- ❖ Families, communities and schools need to provide comprehensive solutions; place in context of providing necessary social skills for productive lives; zero tolerance doesn't equate to having an array of effective programs;
- ❖ The intent of zero tolerance programs is to be fair and to send a strong message to students, yet they may only result in sending too many children for unnecessary risk assessments and may have the unintended consequence of removing children from school without an appropriate support system;

Misconduct involving exceptional students. A panel including the Department of Education official responsible for dealing with special education services and an attorney who advocates for special education students discussed federal and State regulations established under the 1997 Reauthorization of the Individuals with Disabilities Education Act (IDEA) that contain new requirements regarding the discipline of students with disabilities. They noted that at the same time that safe school policies and zero tolerance programs are being put into place, federal and state special education laws continue to require that schools address students individually. They agreed that students with disabilities are more often victims of misconduct than perpetrators; and that schools are safer today than they were many years ago.

They offered the following insights regarding federal IDEA regulations and Section 504 of Rehabilitation Act of 1973 regulations; and also added the following observations on student placements:

- ❖ Individual Education Program (IEP) requirements: (1) the Pupil Evaluation Team (PET) must determine whether appropriate behavioral supports or services are necessary; and (2) public schools must also heed disseminated models of current research;
- ❖ Placement is to be determined after the IEP is established; and shall be in the least restrictive environment (LRE) where the IEP can be incorporated for up to 10 days if a comparable placement would be provided for non-special education student;

- ❖ A manifestation determination must occur within 10 days of the alleged behavior to determine if the behavior was manifest from the student's identified disabling condition; and any member of the IEP, including a parent, can reconvene the PET to review the plan;
- ❖ Therapeutic placements to Spurwink and Sweetser are now aided by the availability of Medicaid funds; and
- ❖ Focus is now on getting to the core of a student's behavioral issues and not to enact punitive measures; schools can't use cookie cutter approach or merely reiterate school's discipline policy, and must develop an individual approach for each student.

Should the manifestation determination find that the IEP was followed and the misconduct was not determined to be part of a student's disabling condition, then under IDEA, a placement change may take place under following circumstances:

- ❖ Under a school's unilateral authority, expulsion and suspension for a cumulative total of 10 days;
- ❖ Under a school's unilateral authority, for up to 45 days placement in an alternative program for violation of federal weapon or drug laws;
- ❖ Up to 45 days for certain dangerous behavior when a hearing officer, after consultation with the Pupil Evaluation Team (PET), finds that dangerousness does exist; and
- ❖ For more than 10 days to an alternative education setting after consultation with the PET and agreement by the parents to implement the alternative programs and services.

State law is now consistent with Federal law, and state rules mirror copy federal law and regulations. Still, Maine law must be child-centered, keep kids safe, keep consequences logical and recognize that we're talking about educating children. Suspension and expulsion only transfers the problem situation to someone else. Maine policymakers should focus on changing attitudes from parsing children out to separate settings and toward providing quality education for all individual students.

Involving parents in their children's schools. Task force members received testimony that engaging parents in their child's school is a critical factor in the academic and affective development of their child. The Task Force finds that both school officials and teachers should find ways to involve and engage parents in the school environment in ways that encourage and strengthen the parent-school partnership on behalf of our children. Toward this end, the Maine Parents Association recently held a summit to discuss the role that parents can and should play in providing support for civil and safe schools for all Maine children.

The Task Force also received information regarding two policy initiatives of the Bangor schools that may serve to strengthen the parent-school partnership. Each student should have an individual education plan established by the 4th grade. The student's educational plan would be the product of a meeting between the school's guidance counselor, the student and the student's parent(s). The educational plan would include the student's career and educational goals, would identify the necessary academic coursework and other learning activities to achieve these goals and would be updated annually thereafter.

The other Bangor school policy requires that, beginning at the 2nd grade level, students whose academic performance is below average for their grade level should be provided with the academic support necessary to improve their academic performance to their grade-level average. Students performing below grade-level average should have a compulsory meeting between school's guidance counselor, the student and the student's parent(s) to discuss the challenges facing the student and to develop a student instructional plan to return the student's academic performance at least to their grade-level average. This intervention should be required through the 10th grade.

The Task Force finds these initiatives to be affirmative examples of how educators can support parental involvement in schools in a manner that suggests a holistic approach to their child's education, and in a way that may establish a productive parent-school partnership.

3. The Availability of Alternative Educational Settings

The Task Force met with a panel of alternative educators to review the scope of alternative education programs established by public schools, as well as alternative programs provided by independently-operated schools. According to Department of Education data, there are 85 alternative education programs currently operating in the State. Alternative education programs come in all shapes and sizes and vary by local circumstances. The majority of these programs serve secondary school students, approximately 12 serve middle school students and only one serves students in the elementary grades. The primary student populations served by alternative education programs include students who need an alternative learning environment and students whose behavior or attitude need further development and can benefit from a more supportive placement before they can be reintegrated into the regular classroom. These programs also serve special needs students who have been identified with a severe emotional disturbance, only if the alternative setting is determined to be an appropriate placement for the student.

An alternative education program must be initiated by a local school board which can approve one or more alternative education programs and can enter into so-called superintendents' agreements to establish a regional program. The process for enrolling a student in an alternative education program involves cooperative decisionmaking between parent(s), the student and school administrators. Once a referral is made by an

educator or requested by a parent, the student completes an application and a meeting is held to discuss the student's educational needs and to set up an "alternative education plan." The guidance counselor, principal and teacher usually have the final decision on placement of a student in an alternative education program.

Alternative educators endorsed the benefit of establishing alternative education programs in the elementary and middle school grades since, from a developmental perspective, it may take 3 years to develop a state of awareness in an individual student and earlier intervention could turn a student around by the time the youth reaches high school. They indicated that early intervention should begin in pre-school and that kindergarten teachers can immediately identify "at risk" children.

Alternative education programs work within a network of school and community agencies. Alternative educators work closely with both school faculty and administration, as well as within the community with state and local community agency resource people. These programs take disenfranchised children for whom the regular public school model is not working and provide them with a place to belong. Belonging is a critical component of alternative education programs since these children are often disenfranchised. Programs benefit both youth and the community at large by making education relevant for the individual and preparing the youth to become a productive citizen in the community. An anecdotal report indicated that about 30% of alternative education students participate in postsecondary education.

Funding for alternative education programs comes primarily from local taxpayers, with some programs also receiving State funds from the Innovative Grant Program as well as grant funds from federal and private grant programs. Alternative educators indicated that start-up costs are a challenge, particularly personnel costs; and that the most effective alternative educators are already within our public schools. Alternative education programs that have access to grant writers can quadruple the amount of State funds provided by securing federal and private grants. Superintendents' agreements can establish regional programs that are funded in part by accepting tuition students from public schools in the region.

Alternative educators reported that a lack of stable funding is a detriment to sustaining effective alternative education programs and also noted that the State has recently changed its funding policies for alternative education programs. There is no longer distinct categorical funding for establishing or maintaining alternative education programs; and the State will no longer reimburse rental expenses for alternative education programs located away from the public school and in the community. Alternative educators recommend that the state investment in alternative education programs needs to increase and that adults and the community at large need to inform state and local legislative bodies to express support for funding our alternative education programs.

An effective alternative educator has a gift for building an affirmative relationship with an at-risk student and possesses the ability to provide learning experiences appropriate to the student's individual learning style. Preparation and training for

alternative educators should develop competencies in establishing relationships with students, accommodating the multiple learning styles of students and coaching within a cooperative education approach. Alternative educators are mostly intuitive individuals. Alternative educators suggested that a cohort program in an undergraduate preparation program could be an important component to developing skilled alternative educators. The opportunity to participate in a pre-service internship and an in-service mentoring situation has been found to benefit inexperienced alternative educators.

The Alternative Education Association is comprised of both public and private alternative schools in the state. The association holds statewide meetings twice per year to provide professional development for alternative educators. Regional groups meet monthly and also provide training and the opportunity to collaborate on program development. The association has considered creating assistance teams to visit school systems, yet asserted that funding and resources are necessary for alternative schools that would need substitute staff to replace educators going out into the field. They recommend that the Department of Education and the Alternative Education Association could collaborate in establishing regional assistance teams for sustaining and assessing alternative education programs. They also proposed that funding is needed to update the 1993 study of alternative schools sponsored by the Maine Department of Education and the College of Atlantic that included a case study of 6 alternative education programs.

Alternative educators work with State and local agencies, as well as non-governmental agencies and private citizens to provide creative solutions for alternative education students. With the advent of the Communities for Children initiative, alternative educators reported improved coordination of State and local community agency services. However, they also suggest that issues remain in identifying and providing appropriate interventions for our children, including the need to understand and clarify the boundaries between education and social work and the need to direct resources to home environment.

4. The Availability of Alternative, Community-based Placements

The Task Force also addressed the implementation of alternative programs and interventions across the continuum of service delivery contexts beyond the educational system. In reviewing the status of community-based initiatives and alternative placements available in community-based settings, the Task Force members find that the inter-agency program coordination model adopted by the Governor's Children's Cabinet, including the state-local program of integrated case management system fostered by the Communities for Children initiative, holds great promise for providing coordinated policies, programs and service delivery within the child and family service system. Information regarding the Governor's Children's Cabinet is presented in **Appendix G**.

Testimony was received that indicated that program and service gaps exist across the State, yet the progress reported by the Regional Children's Cabinet for the Greater Bangor region demonstrated that a multiplicity of public and private agencies are collaborating to provide quality services in a more coordinated fashion. Testimony

received from panel discussion participants provided the following information and perspectives regarding community-based prevention and intervention initiatives for chronically disruptive and violent students:

- ❖ Communities for Children prevention initiatives foster partnerships between state and local communities to increase children's educational achievement and well-being; 62 partner communities have been established across the state;
- ❖ Research-based "developmental asset" approach (Search Institute) involves all sectors of community in assessing realities facing children and focusing on 40 building blocks that renew community and help youth grow up healthy, caring and responsible;
- ❖ The Community of Caring concept seeks to establish an environment of mutual trust throughout the community; and collaborative efforts across the community -- involving the public, businesses, hospitals, law enforcement officials and local governments, in addition to the schools -- may be more effective than approaches limited strictly to schools;
- ❖ 4-year olds in Head Start need a full-day program; earlier intervention of at-risk kids will reduce problems encountered by schools later;
- ❖ Private out-of-district placements are very costly; the State should investigate the cost and effectiveness of providing regional in-state residential placements itself;
- ❖ A 1998 Legislative study of the juvenile justice system reported that the Department of Corrections contracts with 43 private agencies to provide treatment services for juvenile offenders; the study recommended that the Department of Corrections should continue to work with the Department of Human Services, the Department of Education and the Department of Mental Health Mental Retardation and Substance Abuse Services to develop a better network that provides a comprehensive continuum of care for juvenile offenders;
- ❖ Effective diversion and alternative sentencing programs are needed for juveniles charged with criminal offenses; the Jump Start program and other informal adjustment alternatives may provide a middle course between school sanctions and Maine Youth Center sentencing; a number of restorative justice pilot programs recently established in the State may also prove to be effective interventions;
- ❖ Schools should receive advance notice and an educational plan for kids who are returned to public school from detention at the Youth Center or residential placement;

- ❖ There are various agency, institutional and private programs and services available to help schools and families deal with disciplinary issues. The available resources may provide quick intervention assistance or may help a school or community in developing long term approaches. In either case, the availability of those resources should be widely disseminated to all interested parties, including legislators; and
- ❖ Successful approaches should be publicized and replicated.

III. RECOMMENDATIONS

The Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students makes the following recommendations and presents them for the immediate consideration of the Legislature. These recommendations were approved by a consensus of those Task Force members present at the final meeting:

Task Force Recommendations

1. Improve State-level Coordination of the Child and Family Service System and Integrate Programs and Services with the Local Public Schools

The Task Force recommends that the Governor's Children's Cabinet should be authorized by state law, and that the expectation of inter-agency program coordination and the use of so-called "pooled-flexible funds" to maximize limited resources, should also be endorsed in state law. In addition, State funds should be authorized and appropriated for a Children's Cabinet Coordinator position. This position would be responsible for providing staffing assistance to the Governor's Children's Cabinet and, with authorization from the Governor's Children's Cabinet, could undertake projects or tasks that support the Cabinet's mission to create and promote coordinated policies, programs and service delivery within the child and family service system.

The Task Force further recommends that the Governor's Children's Cabinet establish a "civil and caring schools" initiative that will focus on coordinating early intervention programs that can enhance the intellectual, emotional and social development of the children in our public elementary schools. The "civil and caring schools" initiative should be designed in partnership with regional children's cabinet stakeholders and local public school officials. This initiative should focus on coordinating and integrating the screening, referral, and service delivery practices of the regional child and family service system with those of the local public school systems. Inter-agency coordination of these processes is integral to bridging the gaps between our families, communities and schools.

Finally, the Task Force recommends that the Governor's Children's Cabinet should embark on a statewide public awareness campaign to increase the level of knowledge and understanding of the various initiatives of the Governor's Children's Cabinet. One specific suggestion offered is to contract with public school students to upgrade the Governor's Children's Cabinet website, including links to state agency sites, regional children's cabinet sites and local Communities for Children partnership sites. The Governor's Children's Cabinet should also make printed materials available, perhaps in conjunction with a toll-free telephone number, so that citizens without access to the Internet can also become better informed about state and regional children's cabinet initiatives.

2. Implement the Statewide Standards of Responsible and Ethical Student Behavior Developed by the Department of Education; and Hold Local School Administrative Units Accountable for Implementing District-wide Student Conduct Codes

The Task Force recommends that the Joint Standing Committee on Education and Cultural Affairs review the implementation of statewide standards for responsible and ethical student behavior that will be developed by the Department of Education (see Public Law 1999, c. 351). The Department is required to submit proposed statewide standards for responsible and ethical student behavior to the Education Committee in January 2000, so that these standards can be disseminated to local school boards and school officials well in advance of the start of the 2000-01 school year.

The Task Force further recommends that the Joint Standing Committee on Education and Cultural Affairs work with the Department of Education and representatives of educational stakeholder groups, including the Maine School Management Association and the Maine Principals Association, to ensure that local school board and school administrative unit officials across the State successfully implement the district-wide student conduct codes recently enacted into State law. State-level oversight should be complemented by technical assistance and training, perhaps on a regional basis in coordination with Maine School Management Association and the Maine Principals Association, for superintendents, school board members, school administrators, teachers, parents, and students on the “best practices” in prevention and intervention programs that work in Maine schools and communities.

3. Provide Training to Build the Early Intervention Capacity of Elementary School Educators to Respond Immediately to Incidents Involving Chronically-disruptive or Violent Student Behavior

The Task Force recommends that one-time funds should be appropriated to the Department of Education to implement a grant program targeted towards enhancing the early intervention capacity of elementary school educators in school administrative units across the State. Grant funds would be used by elementary schools to provide training to existing school personnel who would intervene as “first responders” when a behavioral crisis incident involved a chronically-disruptive or violent student. “First responder” personnel can serve to fill the void between the initial reaction to misconduct, the deployment of a student assistance team, and student suspension or expulsion. “First responder” training could include the following elements:

- ❖ Local school officials would determine which elementary school personnel should receive “first responder” training (e.g., principal, guidance counselor, teacher, bus driver, educational technician, support staff or other school personnel);
- ❖ “First responders” could provide an element of rapid response to the scope of an existing “student assistance team,” and could work in concert with school prevention and intervention programs -- such as conflict management education, peer mediation programs, and civil rights teams -- to produce protective and positive intervention to

disruptive student behaviors and situations;

- ❖ “First responders” would develop expert knowledge of the array of school-based and community-based resources that may be recommended as parts of an intervention plan for a chronically disruptive or violent student, and could participate in the design of intervention plans for such students; and
- ❖ “First responders” could be trained in the development of “bridge strategies” to support school and home interventions that can result in successful behavioral changes.

4. Incorporate Competency in Conflict Management Education as Part of Teacher and Administrator Certification

The Task Force recommends that the State Board of Education and the Department of Education incorporate knowledge of conflict management education concepts and skills as part of standards-based initial teacher certification and administrator certification; and that the State Board and Department should also consider requiring knowledge of conflict management education as part of standards-based re-certification of teachers and administrators. Teachers and administrators who participate in either conflict management education or civil rights team training should receive credit for such training as they seek to initially acquire or renew their professional license.

5. Support Conflict Management Education and Civil Rights Team Programs in Public Schools

The Task Force recommends that the Legislature should appropriate additional funding to support the establishment of conflict management education and civil rights team initiatives in our public schools, as well as sustain existing programs. Support of LD 1305, which was carried over to the 2nd Regular Session of the 119th Legislature, would provide \$100,000 to the Department of Education to create a grant program to fund training for an additional 20 conflict management education programs and peer mediation programs in public schools. This bill would also provide an additional \$50,000 to the Department of the Attorney General to support the training and establishment of additional Civil Rights Team programs in public schools.

The Task Force further recommends that prior to passage, LD 1305 should be amended to add a provision to the certification and licensure statutes that would provide teachers and administrators who participate in either conflict management education or civil rights team training with appropriate credit for such training as they seek to initially acquire or renew their professional license.

6. Encourage Initiatives and Efforts That Can Strengthen the Parent-School Partnership

The Task Force recommends that school officials strive to involve parents in an active and ongoing partnership with educators to benefit their children's education and development. Each public school should create a family-friendly climate that can encourage and support parental involvement. Educators should engage parents in positive school experiences as early as possible. Establishing a positive relationship with parents can have immediate and lasting benefits, particularly when circumstances dictate that a school official or teacher must involve parents in a situation involving their child's misconduct in school. Increasing the level of meaningful parental involvement in our public schools is a win-win situation for students, families and communities.

7. Support the Availability of Alternative Education Programs for Students "At-Risk"

The Task Force recommends that state and local educational policymakers continue to support the availability of alternative education programs for students "at-risk." An effective alternative educator has a gift for building relationships with students at-risk. Alternative education programs take students marginalized by "regular" schools and give them a place to belong and be a part of a community. While unable to reach consensus on specific recommendations about the type of alternative delivery system that should be available to provide educational programs and support services to chronically-disruptive and violent students who are placed outside of the public school system, the Task Force supports the existing array of public and publicly-assisted alternative education programs that provide a variety of learning environments for students whose academic needs are not being met by conventional public school programs.

Acknowledgements

Task Force members would like to acknowledge and thank all those individuals -- including experts, practitioners, state and local agency resource people and interested parties -- who provided testimony and background information to the Task Force. A list of these individuals is included as **Appendix H**.

APPENDIX A

**Senate Paper 598:
Joint Order to Establish the Task Force to Study the Implementation
of Alternative Programs and Interventions
for Violent and Chronically Disruptive Students**

STATE OF MAINE
First Regular Session of the 119th Legislature
SENATE PAPER # 0598

ORDERED, the HOUSE concurring, that the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students is established as follows.

1. Task force established. Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students, referred to in this order as the “task force,” is established.

2. Task force membership. The task force consists of 9 members appointed as follows.

A. The President of the Senate shall appoint three members from the Senate: one member who serves on the Joint Standing Committee on Education and Cultural Affairs, one member who serves on the Joint Standing Committee on Criminal Justice and one member who serves on the Joint Standing Committee on Health and Human Services.

B. The President of the Senate shall appoint 3 public members to the task force, including one member from each of the following interested parties:

(1) One person who is currently employed at a public school in the State who has specific expertise, knowledge, background and oversight of violence prevention and intervention programs and alternative education settings;

(2) One person who is currently contracted as a human services or mental health professional in a local or regional school-linked, community-based partnership who has specific expertise, knowledge, background and oversight of violence prevention and intervention programs and alternative community placements; and

(3) One person who is currently involved as a public school student in a school-based peer mediation team or civil rights team with specific knowledge of and background in violence prevention and intervention programs, including conflict resolution education.

C. The Speaker of the House of Representatives shall appoint 3 members from the House of Representatives: one member who serves on the Joint Standing Committee on Education and Cultural Affairs, one member who serves on the Joint Standing Committee on Criminal Justice and one member who serves on the Joint Standing Committee on Health and Human Services.

3. Chairs. The first Senate member named is the Senate chair and the first House member named is the House chair.

4. Appointments; convening task force. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs of the task force shall call and convene the first meeting of the task force no later than June 15, 1999.

5. Duties. The task force shall:

- A. Study the availability of a continuum of interventions for violent and chronically disruptive students including, the existence of positive behavioral supports in classrooms, the availability of alternative educational settings for disruptive students, and alternative community placements;
- B. Recommend a plan and strategies to develop an appropriate continuum of interventions for violent and chronically disruptive students;
- C. Request, as appropriate, the assistance of the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Corrections, the Department of the Attorney General, the Chief Judge of the District Court, the Department of Public Safety, the University of Maine System and other appropriate state agencies and educational institutions;
- D. Invite the participation of experts and interested parties, including individuals affiliated with: the Children's Cabinet's Communities for Children Initiatives; the Children's Mental Health Oversight Committee; the Juvenile Justice Advisory Group; the Maine Chiefs of Police Association; the Maine Sheriff's Association; Drug Abuse Resistance Education Programs (DARE); Youth Alternatives, Incorporated; the Maine Council of Churches; the Excellence in Citizen Education Through the Law Program (EXCEL) and the Peace Studies Program at the University of Maine; and
- E. Recommend draft legislation to create an appropriate continuum of interventions for violent and chronically disruptive students, including the availability of alternative educational settings and alternative community placements for violent and chronically disruptive students.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and legal Analysis shall provide necessary staffing services to the task force.

7. Expenses. Legislative members of the task force are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement of necessary expenses for their attendance at authorized meetings of the task force. Public members who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and a per diem equal to the legislative

per diem for their attendance at authorized meetings of the task force.

8. Report. The task force shall submit a report on the plan developed along with any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 1999. The committee has authority to introduce legislation during the Second Regular Session of the 119th Legislature. If the task force requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

9. Task force budget. The chairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for its approval. The task force may not incur expenses that would result in the task force exceeding its approved budget.

Upon request from the task force, the Executive Director of the Legislative Council or the Executive Director's designee shall provide the task force chairs and staff with a status report on the study budget, expenditures incurred and paid and available funds.

SPONSORED BY: SEN. CATHCART of Orono

APPENDIX B

Task Force Membership

TASK FORCE TO STUDY THE IMPLEMENTATION OF ALTERNATIVE PROGRAMS AND INTERVENTIONS FOR VIOLENT AND CHRONICALLY DISRUPTIVE STUDENTS

Membership 1999 (pursuant to Joint Order, SP 0598, as amended)

Appointments by the President

Senator Mary R. Cathcart, Chair
120 Main Street
Orono, Maine 04473

Senator Georgette B. Berube
195 Webster Street
Lewiston, Maine 04240

Senator Paul T. Davis
RR 1, Box 557 / Townhouse Road
Sangerville, Maine 04479

Dianne Hoff
President's House
University of Maine at Orono
Orono, Maine 04469
Public Member

Kathryn Gaianguest
131 Sunrise Terrace
Orono, Maine 04473
Public Member

Elizabeth Baker
36 Wood Street
Fairfield, Maine 04937
Public Member

Appointments by the Speaker

Representative Shirley K. Richard, Chair
210 Main Street
Madison, Maine 04950

Representative Daniel B. Williams
PO Box 185
Orono, Maine 04473

Representative James H. Tobin, Jr.
350 Charleston Road
Dexter, Maine 04930

Task Force Staff

Phil McCarthy, Ed.D., Legislative Analyst
Office of Policy and Legal Analysis
13 State House Station,
Augusta, Maine 04333-0013

APPENDIX C

P.L. 1999, chapter 351: An Act to Implement the Recommendations of the Commission to Study Providing Educators With More Authority to Remove Violent Students from Educational Settings

PUBLIC LAWS OF MAINE
First Regular Session of the 119th Legislature
CHAPTER 351
(H.P. 1250 - L.D. 1798)

An Act to Implement the Recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings

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, two thirds 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 §254, sub-§11 is enacted to read:

11. Statewide standards for behavior. In consultation with organizations representing school boards, school administrators, teachers, parents and other interested local officials and community members, the commissioner shall develop statewide standards for responsible and ethical student behavior. The standards must require annual reporting of incidents of violent and harmful behavior by or against students to the department by school administrative units. The department shall provide forms for reporting.

Sec. 2. 20-A MRSA §1001, sub-§§15 and 16 are enacted to read:

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

- A. Define unacceptable student behavior;
- B. Establish standards of student responsibility for behavior;
- C. Prescribe consequences for violation of the student code of conduct, including first-time violations, when appropriate;
- D. Describe appropriate procedures for referring students in need of special services to those services;
- E. Establish criteria to determine when further assessment of a current individual education plan is necessary, based on removal of the student from class;
- F. Establish policies and procedures concerning the removal of disruptive or violent students from a classroom or a school bus, as well as student disciplinary and placement decisions, when appropriate; and
- G. Establish guidelines and criteria concerning the appropriate circumstances when the

superintendent or the superintendent's designee may provide information to the local police or other appropriate law enforcement authorities regarding an offense that involves violence committed by any person on school grounds or other school property.

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

16. Crisis response plan. Working with local public safety, mental health and law enforcement officials, they shall develop a crisis response plan to deal with crises and potential crisis situations involving violent acts by or against students in each school in the school administrative unit.

Sec. 3. 20-A MRSA §6001-B is enacted to read:

§6001-B. Transfer of education records

1. Education records must follow students who transfer. Education records must follow students who transfer to a school in another school administrative unit in the State. The education records of students who transfer from out-of-state schools are also subject to this requirement.

2. Transfer of records. Upon application of a student to transfer to another school administrative unit in this State or to enroll at a school administrative unit in this State from a school outside of the State, and upon the written request of the superintendent of the school administrative unit into which the student seeks admission, school administrators at the school administrative unit from which the student is transferring shall provide all of the student's education records, including special education records, to school administrators at the school administrative unit to which the student is seeking a transfer.

3. Determination of disciplinary status of student applying for transfer; discretion of school to accept student. At the request of the superintendent of the school administrative unit into which a student seeks admission, the student's current or former school administrators shall provide, in a timely fashion, an oral or written report to the receiving school administrative unit indicating whether the student has been expelled or suspended or is the subject of an expulsion or suspension proceeding. In the case of a student who has been expelled or suspended or is the subject of an expulsion or suspension proceeding, the receiving school administrative unit may deny admission or participation in public school programs, facilities or activities as part of an equivalent instruction program pursuant to section 5021 until the school administrative unit is satisfied that the conditions of the expulsion or suspension have been met.

4. Notice to parents and guardians. Prior to the start of the 2000-01 school year and each school year thereafter, a school administrative unit shall send a written notice to parents or guardians of every student enrolled in the school administrative unit that education records must be sent to a school administrative unit to which a student applies for transfer. The notice provided to parents and guardians must comply with the standards of the federal Family

Education Rights and Privacy Act of 1974, Public Law 93-380, as amended by Public Law 93-568.

Sec. 4. 20-A MRSA §6553, sub-§1, ¶A, as enacted by PL 1989, c. 531, is amended to read:

A. "Injurious hazing" means any action or situation ~~which~~, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school.

Sec. 5. 26 MRSA §832, sub-§1, as amended by PL 1987, c. 402, Pt. B, §21, is further amended to read:

1. Employee. "Employee" means a person who performs a service for wages or other remuneration under a contract of hire, written or oral, expressed or implied, but does not include an independent contractor engaged in lobster fishing. ~~Employee~~ "Employee" includes school personnel and a person employed by the State or a political subdivision of the State.

Sec. 6. 26 MRSA §832, sub-§2, as reallocated by PL 1983, c. 583, §15, is amended to read:

2. Employer. "Employer" means a person who has one or more employees. ~~Employer~~ "Employer" includes an agent of an employer and the State, or a political subdivision of the State. "Employer" also means all schools and local education agencies.

Sec. 7. 26 MRSA §833, sub-§1, ¶B, as enacted by PL 1987, c. 782, §4, is amended to read:

B. The employee, acting in good faith, or a person acting on behalf of the employee, reports to the employer or a public body, orally or in writing, what the employee has reasonable cause to believe is a condition or practice that would put at risk the health or safety of that employee or any other individual. The protection from discrimination provided in this section specifically includes school personnel who report safety concerns to school officials with regard to a violent or disruptive student;

Sec. 8. Implementation of student behavior standards. The Commissioner of Education shall develop standards for responsible and ethical student behavior under the Maine Revised Statutes, Title 20-A, section 254, subsection 11 for implementation by school administrative units beginning in school year 2000-2001. The commissioner shall report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2000 on the status of the development of the standards.

Effective September 18, 1999, unless otherwise indicated.

APPENDIX D

Work Plan: Goals, Tasks and Information Needed

TASK FORCE TO STUDY THE IMPLEMENTATION OF ALTERNATIVE PROGRAMS AND INTERVENTIONS FOR VIOLENT AND CHRONICALLY DISRUPTIVE STUDENTS

WORK PLAN: Goals, Tasks & Information Needed [Flip chart notes from 9/16/99 Task Force Mtg.]

OBJECTIVE: to study the implementation of alternative programs and interventions for violent and chronically disruptive students as part of a continuum of successful responses to ensuring safe schools and the need to provide resources to children, their families and their communities

Continuum of Alternative Programs & Interventions for Violent & Chronically Disruptive Students

School-based Programs ----- Alternative Education Programs ----- Community-based Programs

GOAL / TASK	DATA / INFORMATION NEEDED	POTENTIAL RESOURCES
Postsecondary curricula and teacher preparation programs re: addressing challenging behaviors	<ul style="list-style-type: none"> • Current research & best practices in teacher and administrator preparation for classroom management and positive behavioral support programs • Overview of teacher preparation programs for teachers and administrators in violence prevention and intervention for violent / disruptive students • Overview of certification & licensure requirements with respect to teacher and administrator capacity to address violent and disruptive students 	University of Maine System Faculty Maine DOE
Challenging behaviors and how schools & educators deal with "wits end kids"	<ul style="list-style-type: none"> • Data related to type of challenging behaviors • Overview of school responses (prevention and intervention) to student misbehavior, misconduct and violence • Capacity and costs estimates for developing, implementing and sustaining effective violence prevention and intervention programs 	University of Maine System Faculty & Research Maine DOE Maine School Mgt. Assoc. Maine Principals Assoc.
Define two tiers of challenging student behavior and evaluate current programs in public schools	<ul style="list-style-type: none"> • Data related to incidence, type and location of incidents involving student's challenging behaviors • Overview of school responses (prevention and intervention) to student misbehavior, misconduct and violence • Capacity and costs estimates for developing, implementing and sustaining effective violence prevention and intervention programs 	University of Maine System Faculty & Research Maine DOE Maine School Mgt. Assoc. Maine Principals Assoc.
Involving parents in their children's schools	<ul style="list-style-type: none"> • Research & best practices related to successful programs and strategies for involving parents in their children's schools 	University of Maine System Faculty & Research Maine DOE Maine Parent-Teachers Association
Unique challenges facing small, rural schools and communities	<ul style="list-style-type: none"> • Research & best practices related to successful programs and strategies for providing prevention and intervention programs in small and rural schools and communities 	University of Maine System Faculty Governor's Children's Cabinet Agencies Communities for Children

GOAL / TASK	DATA / INFORMATION NEEDED	POTENTIAL RESOURCES
Special education laws and student conduct practices	<ul style="list-style-type: none"> • Overview of Federal special education laws (IDEA) and state regulations re: addressing student misconduct incidents involving exceptional students • Walk-through school practices re: process involved in determining educational program and placement decisions for exceptional students involved in alleged misconduct incidents 	David Stockford, DOE Russ Stryker, Disability Rights Ctr. Special Ed. Directors, MADSEC Special Ed. Advocates / Attorneys
Alternative education programs and alternative schools and placements	<ul style="list-style-type: none"> • Data related to scope and type of alternative education programs in public schools • Overview of alternative schools and placements available in private schools and other settings • Capacity and costs estimates for developing, implementing and sustaining alternative education programs, alternative schools and placements 	University of Maine System Faculty & Research Maine DOE Maine School Mgt. Assoc. Maine Alternative Education Assoc.
Evaluate current status of community-based programs in providing effective prevention and intervention	<ul style="list-style-type: none"> • Data related to type of challenging behaviors • Overview of community-based responses (prevention and intervention) to youth misbehavior, misconduct and violence • Capacity and costs estimates for developing, implementing and sustaining effective violence prevention and intervention programs 	University of Maine System Faculty Governor's Children's Cabinet Agencies Communities for Children Juvenile Justice Pilot Programs Restorative Justice Programs
Draft legislation to implement task force plan	<ul style="list-style-type: none"> • Definition of terms; glossary of challenging behaviors • Juvenile Justice Pilot Programs • Peer Mediation • Conflict Resolution Education • Maine Youth Center student responses 	Dianne Hoff Rep. Tobin Kathryn Gaianguest Elizabeth Baker Rep. Baker

(PDM -- updated 10/3/99)

G:\OPLAGEA\GEASTUD\119TH\VIOLENT\10-4PLAN.DOC (09/29/99 1:48 PM)

APPENDIX E

Maine Youth Violence Prevention Resources

Maine Youth Violence Prevention Resources (12/10/1999)

This is a list of some of the resources in Maine for youth violence prevention. The list contains statewide resources and local resources that are available to assist other communities by providing model programs, curricula, or by sharing their experience with local violence prevention efforts. To add other resources, call Cheryl DiCara at 1-800-698-3624 or email cheryl.m.dicara@state.me.us with suggestions.

Advocates for Children, Education Program, conducted a three-year youth violence prevention program in Lisbon schools system with DHS funding. Currently provides the following violence prevention/conflict resolution services - Fighting Fair for Families; Conflict Resolution Overview; Dealing with Teasing; Different and the Same; Conflict Resolution for K/2. For more information, contact Betsy Norcross-Plourde (207) 783-3990.

Civil Rights Teams in Maine Middle Schools and High Schools - Attorney General Andrew Ketterer began the Civil Rights Team Project, a school based program to prevent hate violence, harassment, and bias in the schools. More than 100 elementary, middle and high schools participate throughout the state. A State of Maine civil statute places a restraining order on anyone who commits a threat of violence, violence and/or property damage against a person because of their race, gender, sexual orientation, religion, or disability. One of the many reasons the Attorney General's Office began this statewide school-based program was that the numbers of juveniles committing hate crimes were increasing annually. Juveniles commit half of the hate crime cases prosecuted by the Attorney General's Office under the Maine Hate Crimes Act. Because of this disturbing reality, the overall goal of the Civil Rights Team Project is to make schools safer from hate violence by 1) providing educational awareness programs to educate against harassment, bias and hate and 2) providing peer forums for students to talk about issues of hate violence and/or to report incidents of hate violence. For more information on the program and the services, contact Debora D. Ferreira, Director of the Civil Rights Team Project, Department of the Attorney General, 6 State House Station, Augusta, ME 04333, (207) 626-8417 or e-mail debora.ferreira@state.me.us

Communities for Children Initiative - The Communities for Children initiative was developed in 1997, and seeks to establish strong and coordinated links between communities and State Government to better detect and resolve children's problems and develop their strengths. Several communities have developed specific programs aimed at youth violence prevention that may serve as examples for effective action. For additional information, call Susan Savell, Executive Coordinator of Communities for Children, at 287-4377; Email susan.savell@state.me.us.

Community Mediation Centers provide free community and family mediation services in several locations around Maine. The centers may use trained volunteers to provide mediation services.

- ◆ **The Community Dispute Resolution Center** serves the Greater Portland area, providing mediation, negotiation and facilitation services to the community and victim-offender mediation in referred cases. Contact Anita Jones at 772-4070.
- ◆ **Youth Alternatives Family Mediation** program provides family mediation to families experiencing conflict between parents and adolescents. The program serves Cumberland,

York and Sagadahoc counties. Contact Nancy Markowitz at 874-1175 in Portland or Karen Waldman in Bath at 442-8556.

- ◆ **The Family Mediation Project of the Lewiston/Auburn YWCA** provides conflict resolution services to families including parent-teen mediation. Contact June Zellers at 795-4055.
- ◆ **Community Mediation Services** provides dispute resolution services to midcoast and central Maine, including Kennebec, Franklin, Lincoln, Knox and Waldo counties. Contact Pat Jennings at 549-7696.
- ◆ **Penquis Dispute Resolution Center of Penquis C.A.P.** in Bangor serves Eastern Maine, including Washington, Hancock, Penobscot and Piscataquis counties. Their services include child and family mediation, victim-offender mediation and school programs. Contact Kathy Leen at 973-3587.

Department of Human Services, Bureau of Health, Childhood Injury Prevention and Control Program has limited funding for school/community coalitions to develop and institute local youth violence prevention efforts. The Program supports the University of Maine Peace Studies Institute and the University of Southern Maine EXCEL programs, the Maine Civil Rights Team Project and sponsors an annual youth violence prevention conference. For more information contact Cheryl DiCara at 287-5362, or toll-free 1-800-698-3624, Email cheryl.m.dicara@state.me.us.

EXCEL Program of the University of Southern Maine is a coalition composed of the University of Maine School of Law, the USM College of Education, the Maine State Bar Association, and the Maine Bar Foundation. EXCEL is funded by its coalition partners and through a grant from DHS, Childhood Injury Prevention and Control Program, foundation grants, fees for service, and program registration fees. EXCEL provides basic and advanced training and technical assistance in conflict management education to K-12 schools in Maine; summer institutes for educators; high school mock trial competitions; and roundtable discussions for youth with lawyers and judges. EXCEL co-sponsors the Peer Mediation Association of Maine and the Maine CORE Network. For more information, contact co-directors Pam Anderson and Julia Underwood at 780-4159, email pamelaa@usm.maine.edu; web address <http://www.usm.maine.edu/~law/excel>.

Gay, Lesbian, and Straight Education Network, (GLSEN) A group organized to promote the safety and well being of all students and teachers in Maine schools, without regard to sexual orientation. The project reaches out to students who are questioning their sexual orientation, or who know they are lesbian, gay, bisexual, or transgender. One of 60 national chapters of GLSEN, the Downeast Maine chapter is 207-359-2347, national phone is 212-727-0135, web address: <http://www.GLSEN.org/respect>.

Juvenile Justice Advisory Group was established in 1974 to monitor state compliance with national juvenile justice standards and to advise state policy makers on juvenile justice issues. They fund community based alternatives to incarceration, delinquency prevention programs and projects that promote gender equity in the juvenile justice system. For further information, contact Deb Rafnell, 287-4371, email deborah.rafnell@state.me.us

Legislative Commission on Violence in Schools in 1998, the Maine Legislature convened a commission, which focused on violence in Maine schools. The charge to the commission included collection and analysis of data on disruptive student conduct and violent behavior in public schools; development of model district-wide school disciplinary policies, procedures, and practices that seek to prevent or respond to disruptive or violent student conduct; establishment of suggested student conduct and responsibility standards; and establishment of a system for notifying staff of students with a history of violent behavior. For additional information, contact Phil McCarthy, Office of Policy & Legal Analysis, Maine State Legislature, 287-1670; E-mail phillip.mccarthy@state.me.us

Maine Coalition Against Sexual Assault is organized to put an end to sexual assault and sexual abuse in Maine, and to ensure that there will be ongoing support and services for victims and survivors. Sexual assault crisis and support centers provide free, confidential services, including: a 24-hour confidential crisis hotline; support groups for survivors of sexual assault and their families; advocacy for survivors who choose to seek medical attention, report to the police, or go through the criminal justice system; referrals to therapists and/or other professionals; community and professional education programs for all ages on topics such as sexual harassment, sexual assault, date acquaintance rape, peer education programs, prevention, and protection/safety. For more information, contact Cyndi Amato, Executive Director, at 626-0034 E-mail: cyndibird@aol.com

Maine Coalition to End Domestic Violence (formerly Maine Coalition for Family Crisis Services) was formed in 1977 to help battered women and their children and to work toward ending domestic abuse in Maine. MCEDV consists of a statewide office and member projects, which together provide direct services (a 24-hour hotline system at each project; emergency shelter; referrals and information; court advocacy; support groups; and monitoring of batterers' education programs) as well as public information, technical assistance, and training for law enforcement agencies, medical professionals, and state and local entities in Maine. The MCEDV state office assists in conducting activities that promote family violence intervention and prevention and increase public awareness of the problem. Part of this mission is to encourage representatives of the state, municipalities, law enforcement agencies, schools, and the private sector to become involved in planning strategies for the development of coordinated community response. For more information, contact Tracy Cooley, State Coordinator, at 941-1194. E-mail: mcedv@agate.net

Maine Project Against Bullying has a primary goal of implementing best practices in addressing the problem of bullying among K - 4 students in Maine Schools. MPAB's process includes: a systemic, research based approach; baseline data covering current practices in prevention measures in Maine Schools, K-4; a survey of bullying frequency across Maine Schools, K-4; a pilot of selected curricula aligned with Maine Learning Results; and an assessment of outcomes. MPAB is collaborating with the Muskie Institute and the University of Southern Maine on the research portions of the project. A database of resources available for addressing bullying will be created and made available to schools and communities. For more information contact Chuck Saufler, (207) 371-2415 E-mail: sauflers@lincoln.midcoast.com or contact Cyndi Gagne (207) 445-4807

Maine Safe Schools Resource Collaborative is an initiative consisting of four organizations: GLSEN – Gay, Lesbian, Straight Education Network/Southern Maine, PFLAG –Parents, Families and Friends of Lesbians and Gays, Outright, and Maine Speakout Project. These four

organizations are committed to helping Maine schools become safe places where every family can belong, every educator can teach, and where every child can learn, regardless of gender identity or sexual orientation. The Collaborative produced the 1999 Maine Safe Schools Resource Guide and offers training and speakers to teachers, administrators, parents, and counselors. Contact the Collaborative at PO Box 15303, Portland, ME 04112-5303, phone 879-0480, email: MSOPoject@aol.com

Maine Speak Out Project is an organization which works to promote respect and understanding among persons of differing sexual orientations by training and empowering volunteers to share their personal experiences and perspectives with individuals and community groups. It is a statewide organization with a central office in Portland, and chapters in most Maine counties. Contact: Jonathan Lee, PO Box 15303, Portland 04112-5303, Phone: 879-0480, Fax: 775-4903, Email: MSOProject@aol.com; contact: for Northern Maine, Ron Hersom, Phone: 941-0969, Email: MSOPProject@aol.com

Maine Youth Suicide Prevention Program is a collaborative initiative of Governor Angus S. King, Jr., and the Children's Cabinet, representing commissioners and senior staff of the Departments of Human Services; Mental Health/Mental Retardation, and Substance Abuse Services; Education, Public Safety, and Corrections. In partnership with public and private organizations, the program includes a variety of strategies to prevent youth suicide. Program components include a statewide resource center, a statewide crisis hotline, multiple training programs, and educational materials. Contact the Information Resource Center, 1-800-499-0027, osa.ircosa@state.me.us for informational materials; web site: <http://www.state.me.us/suicide>, the statewide crisis hotline 1-888-568-1112 for crisis. For more information on the overall program, contact Cheryl DiCara, program coordinator, 287-5362, or toll-free 1-800-698-3624, Email: cheryl.m.dicara@state.me.us

National Coalition Building Institute has a mission to develop ethical leaders to take stands on divisive issues. Services include workshops on prejudice reduction, leadership development, and coalition building. In Service training, materials, discussion groups, curricula and technical assistance on community building is offered for teachers, staff, administrators, and parents. Chapters in Portland, Brunswick, Waterville. Contact: Diane Gilman, 1199 Old Stage Rd., Woolwich, 04579, Phone: 882-8022, Fax: 882-9077.

Outright has as its mission to create safe, positive, and affirming environments for young gay, lesbian, bisexual, transgender, and questioning people, ages 22 and under. Outright aspires to a youth driven philosophy in which youth needs and beliefs form decisions, and a collaborative of youth and adults provides support, education, advocacy, and social activities. Outright offers workshops on how to interrupt harassment, creating safe-environments in schools and youth serving agencies; supporting gay and transgender youth; and a youth speakers panel. Technical assistance and support is available on policy development, community building, and how to develop local Outright groups for youth. See county listings for youth support by local outright groups. Contact: Cathy Kidman, MSW, Executive Director or Jeff L'Heureux, Education and Training, Phone: 828-6560, Toll free for youth: 1-888-567-7600, Fax: 828-8620; Email: outright@infotech-maine.com

Peace Studies Program of the University of Maine receives partial funding from the Department of Human Services (DHS), Childhood Injury Prevention and Control Program. The program offers education on the roots of violence and conflict, prevention methods teaching, and

skill development opportunities through academic courses, lectures, conferences, summer institutes, a newsletter, and a lending library. Program staff also work with local schools in northern Maine to assist them in instituting school and/or community violence prevention programs. In cooperation with DHS and the EXCEL Program at USM, the program co-sponsors an association of peer mediators whose youth delegates meet regularly and participate in semi-annual conferences. For more information, contact Barbara Blazej at 581-2609, Email: barbara.blazej@umit.maine.edu

Safe and Drug-Free Schools and Communities Act Program (SDFSCA) - The purpose of Title IV of IASA is to provide funds to states to create comprehensive strategies to deal with school violence, and alcohol, tobacco and other drug use by youth. It encourages schools to collaborate with community resources to design programs and services that are safe and drug free. Every local educational agency receives an allotment based on enrollment of children in its public and private schools. Title IV resources are to be used for the benefit of all children. A portion of the funding is reserved for the highest need LEAs in the state. The Maine Office of Substance Abuse (OSA), located within the Department of Mental Health, Mental Retardation, and Substance Abuse Services administers the SDFSCA in coordination with the Department of Education (DOE). Additionally, OSA has the responsibility of allocating the Governor's portion of the SDFSCA allocation for violence and substance abuse prevention programs and activities. These funds are awarded through a competitive Request for Proposals process. Contracts are awarded for development and implementation of comprehensive, community-based violence and substance abuse prevention programs that link the community with schools and integrate services involving substance abuse, mental health, law enforcement, and other related community resources. For more information on this program, contact the program coordinator, Janice King Isaly at OSA, 159 Statehouse Station, Augusta, ME 04333 (207) 287-6475, e-mail Janice.Isaly@state.me.us or the Title IV SEA contact person Roger Richards at DOE, 161 State House Station, Augusta, ME 04333, (207) 287-3053, e-mail Roger.Richards@state.me.us or the Title IV LEA contact person, Linda Trahey at OSA, 159 State House Station, Augusta, ME 04333, 287-8904, e-mail Linda.Trahey@state.me.us

APPENDIX F

Coordinated School Health Programs

A Coordinated School Health Program

What is a Coordinated School Health Program?

A Coordinated School Health Program (CSHP) is an effective system designed to connect health (physical, social and emotional) with educational (cognitive and intellectual) programs. This coordinated approach to school health improves kids' health and their capacity to learn through the support of families, communities, and schools working together.

"The issues we deal with are often related and better coordination would reduce confusion and competition for time and resources...we would get more bang for the buck!"

Maine State Agency Manager

Strides in Improving Education and Health

Maine has achieved success in addressing the health and learning needs of children. Some of those successes include:

- Of all 50 states, Maine came closest to achieving the National Educational Goals (1999).
- Ranked the best place to raise a child by The Children's Rights Council (1999).
- 4th lowest of all states in birth rates to adolescents aged 15 – 17 (1997).
- Ranked among the top four states for immunization rates for children by The National Immunization Program (1998).
- In 1998, Maine 8th graders were 1st in the country in reading and 2nd in writing on the National Assessment of Education Progress.

Why do we Need a Coordinated School Health Program?

- In spite of our success, a percentage of our children are not doing well.
- Children need many kinds of supports in order to learn.
- Schools are being asked to be better prepared to meet the increasingly complex needs of today's children.
- Medicaid/Cub Care enrollment increased through the support of Maine schools by distributing applications to all school children.

There are still challenges ahead:

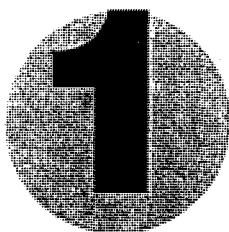
- The percentage of youth engaging in risky behaviors that lead to chronic disease is worse than the national average for: youth smoking; lack of participation in vigorous physical activity; sexual behaviors; and suicide attempts (1997 Youth Risk Behavior Survey, YRBS).
- Nearly 16% of Maine's children live below the Federal poverty level (1999, Kids Count).
- Only 60.7% of high school graduates in 1996-97 planned to attend post-secondary school (1999, Kids Count).
- In 1997, 41% of our children reported that someone had offered, sold, or given them an illegal drug on school property (YRBS).

How will a Coordinated School Health Program help?

Research has shown that a Coordinated School Health Program can reduce absenteeism and classroom behavior problems, improve classroom performance, and better prepare students to be productive members of their communities. A coordinated approach recognizes that **healthy kids make better students and better students make healthy communities.**

"For every dollar spent on school health education, at least 14 dollars are saved in future direct health costs."

Centers for Disease Control and Prevention



**Youth, Parent,
Family, Community
Involvement**

Encourage the participation of parents and youth in policy development and school involvement. This component also includes the integration of community providers with schools.

**Comprehensive
School Health
Education**

Kindergarten through high school health education curriculum that is sequential, developmentally appropriate and includes instruction and assessment

**Health Promotion
& Wellness**

Worksite health promotion programs that encourage and support staff in pursuing healthful behaviors and lifestyle

**Physical
Environment**

Safe and aesthetic physical structure, school grounds and transportation

School Climate

A school atmosphere supported by programs and policies that nurture positive behavior, assure safety, and that promotes a feeling of belonging and respect for all students

**Maine's Eight
Coordinated
School
Health
Program
Components**

**Physical Education
& Physical Activity**

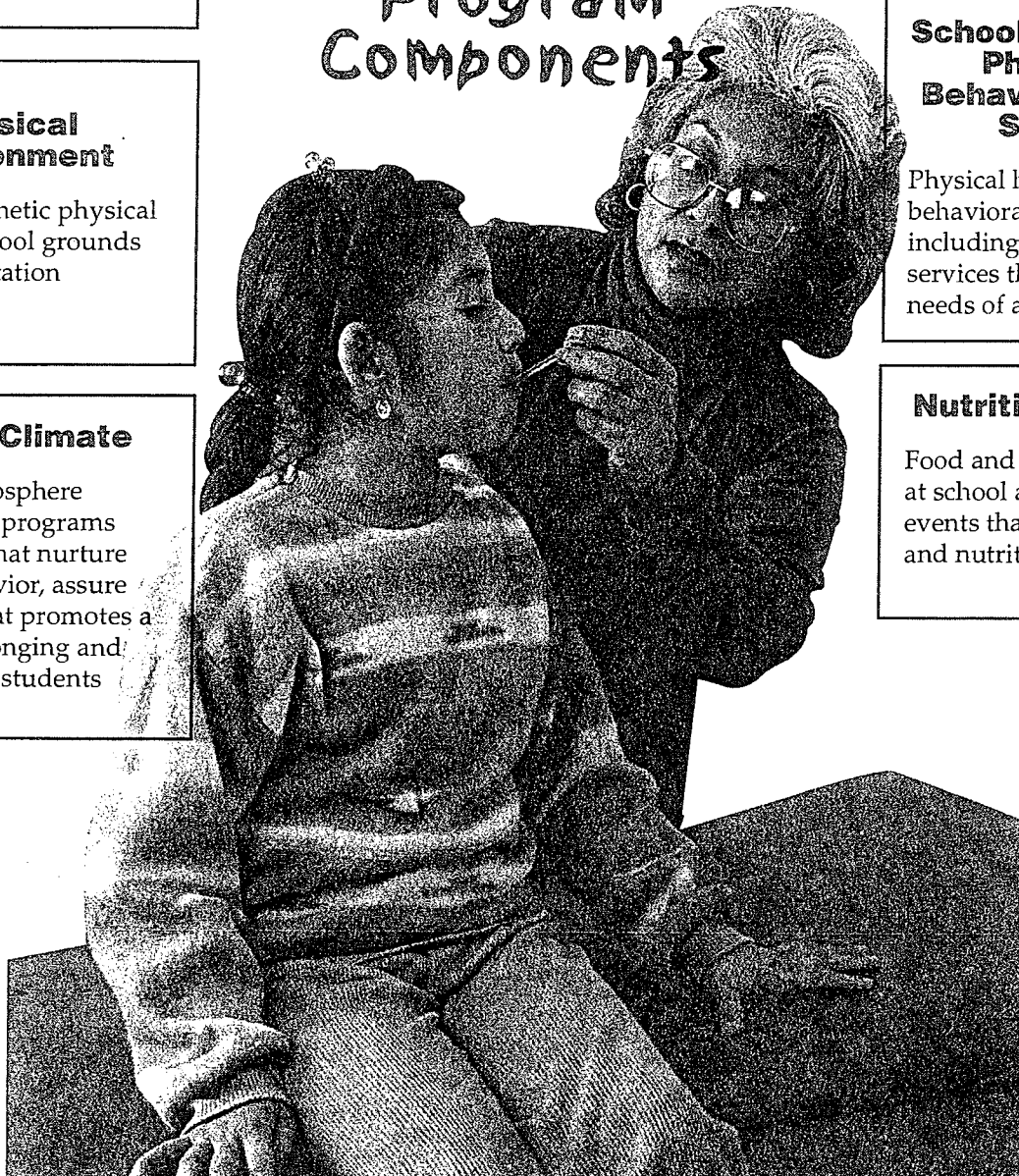
Physical education classes that promote physical fitness and life long physical activity

**School Counseling
Physical &
Behavioral Health
Services**

Physical health and behavioral health services including substance abuse services that meet the needs of all students

Nutrition Services

Food and snacks available at school and at school events that are balanced and nutritious



STATE AGENCY INFRASTRUCTURE NEEDS ASSESSMENT FOR COORDINATED SCHOOL HEALTH PROGRAMS

The first step in developing a Coordinated School Health Program (C.S.H.P.) in state government begins with determining the current status of school health programs. A needs assessment process was conducted that collected information from more than 60 managers of school health programs in six different state agencies. State agency school health managers were asked about four major types of program infrastructure supports: (1) Authorization & Funding; (2) Personnel & Organizational Placement; (3) Resources and (4) Communication and Linkages.

FINDINGS

Authorization and Funding

- There is no specific written policy or administrative structure that coordinates school health related programs among the child serving agencies of the Children's Cabinet.
- Nearly all school health related programs are federally funded and are distinctly categorical in nature with specific target populations. There are few, if any, accountability mechanisms in these categorical programs that would create incentives for coordination between school health programs.
- Program authorization and funding does little to support the prevention of problems before they start.

Personnel and Organizational Placement

- The most important *organizational* assets identified within and across agencies were the quality and dedication of program staff and the consistent support of leadership within the agency.
- The most important *organizational* barrier identified within and across agencies was a lack of personnel to effectively plan and coordinate programs. Another barrier was a lack of sufficient funding dedicated to school health programming. These barriers result in program managers only able to effectively manage their individual sets of activities limiting their capacity within and across agencies to coordinate and collaborate.

Resources

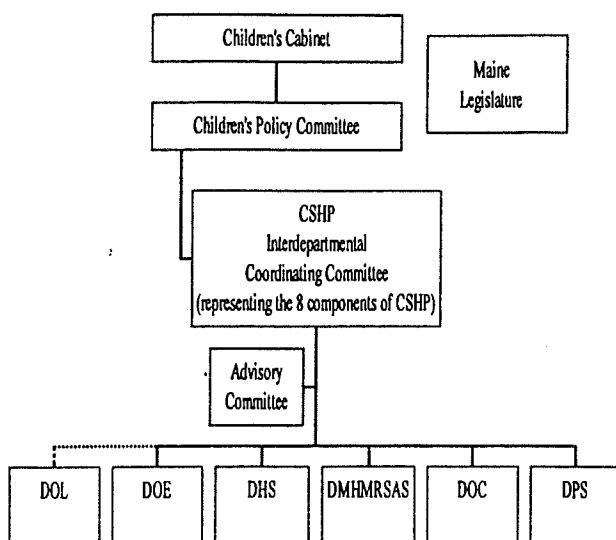
- Resource areas that were rated the highest quality were the competency of existing program staff and the positive nature of the relationships/partnerships between state agency program managers and other school health program groups/associations outside of state government.
- Resource areas that were rated lowest quality were: (1) the data management systems; (2) current processes for how information is collected and communicated within and across agencies; (3) current processes for how information about the health status of young people is collected, analyzed and used for decision-making; and (4) lack of knowledge among program managers about school health programs within and across agencies.
- Program managers identified a need to better involve youth and families as resources in all aspects of their management of school health programs.

Communication and Linkages

- The categorical nature of programs and the lack of a coherent policy concerning school health programming create disincentives for program managers to coordinate activities. A need was identified to quickly establish a formal administrative structure to increase communication among all school health program managers.
- Program managers identified the need for an ongoing competency-based system of professional development.

Coordinated School Health Program State Structure

Maine's administrative structure for children's services is designed to cross departmental boundaries and to focus on interdepartmental linkages, including the Governor's Children's Cabinet and the Children's Policy Committee.



Legislature: Maine's elected representatives

What the Legislature can do:

- Implement policies and legislation that supports coordinated school health programs
- Provide oversight to child and family serving agencies to assure health and education activities are coordinated to benefit all children and youth.

Governor's Children's Cabinet:

The Children's Cabinet is comprised of Commissioners and Senior Staff from five child serving agencies: Departments of Corrections (DOC), Education (DOE), Human Services (DHS), Mental Health, Mental Retardation & Substance Abuse Services (DMHMRSAS) and Public Safety (DPOS). The Children's Cabinet actively collaborates to create and promote coordinated policies and service delivery systems that support children, families and communities.

What the Children's Cabinet can do:

- Provide leadership to support effective and coordinated school health programs.
- Support involvement of staff in the CSHP work.

Children's Policy Committee: The Children's Policy Committee is comprised of Bureau Directors and staff responsible for Children's Cabinet initiatives from each of the five child serving Departments. This Committee works to operationalize the Children's Cabinet's initiatives.

What the Children's Policy Committee can do:

- Address interdepartmental school health policy issues through the framework of CSHP.
- Link CSHP with other cross-departmental initiatives.

Coordinated School Health Program Interdepartmental Coordinating Committee: This Committee is comprised of key program level managers responsible for managing and administering school health programs.

What the CSHP Interdepartmental Coordinating Committee can do:

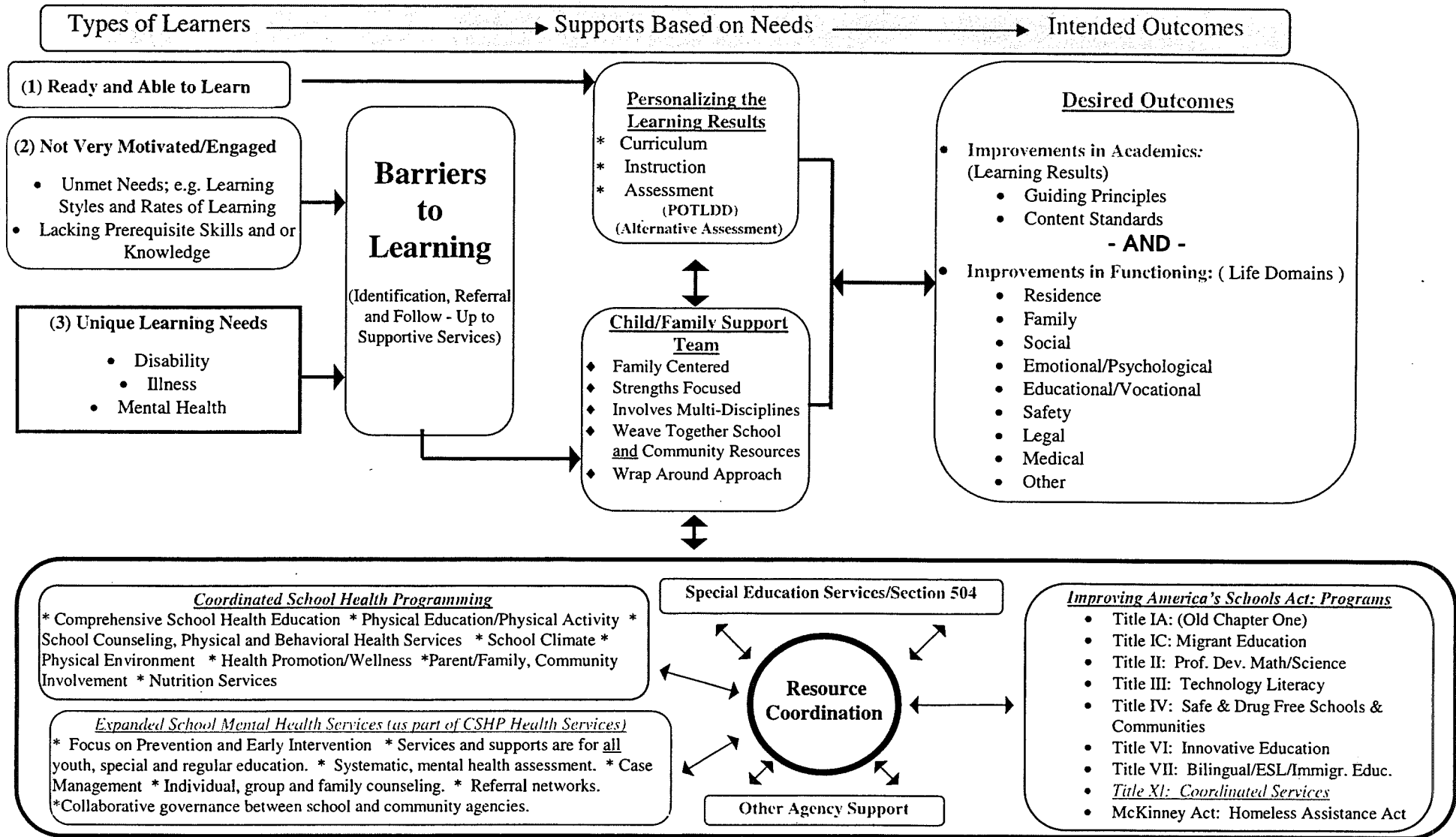
- Provide direction and leadership for the CSHP.
- Through the CSHP, collaborate with other school health programs.
- Share information across agencies.

Coordinated School Health Program Key Advisory Committee: The Advisory Committee is comprised of non-governmental organizations concerned with school health issues. The Committee provides guidance and advocacy for the CSHP.

What the CSHP Key Advisory Committee can do:

- Provide advocacy for CSHPs.
- Provide advice and guidance to the CSHP.
- In partnership with State government, lead, guide, and facilitate the establishment of CSHPs at the local level.

A Framework for Success in School for All Children



APPENDIX G

The Governor's Children's Cabinet



Angus S. King Jr. Governor

OVERVIEW

Governor Angus King established the Children's Cabinet in 1995 to oversee and coordinate the delivery of services to children in Maine. The Children's Cabinet is composed of the departments directly related to children and families: Corrections, Education, Human Services, Mental Health, Mental Retardation and Substance Abuse Services, and Public Safety.

In his charge to the Children's Cabinet, the Governor emphasized the important leadership role of the Commissioners to collaborate and promote the concept of a seamless service delivery system for children and families and the need to pool funding to maximize limited resources. Following some initial planning meetings, the Children's Cabinet began operations with a two-day retreat in December, 1995, during which Commissioners articulated a common vision of a coordinated, community-based system of services for children and families and outlined a plan for operations.

VISION

Based upon the belief that children's needs are best met within the context of relationships at the family and community levels, the vision of the Children's Cabinet is that:

Every child has the opportunity to be a child and the education, resources and support to become a healthy and productive adult.

Every family recognizes the responsibilities and rewards of raising children and is provided the support necessary to fulfill their role.

Raising children is a shared community responsibility which includes a process of establishing and modeling clear standards of behavior.

State agencies collaboratively support families and communities, keeping family and children at the heart of all decisions.

MISSION

The Children's Cabinet actively collaborates to create and promote coordinated policies and service delivery systems that support children, families and communities.

GOALS

1. To collaborate actively to share resources and remove barriers.

The goal of active collaboration is the first and most important of the six goals of the Children's Cabinet. In his charge, Governor King stressed that collaboration and participation in this group is a part of each Commissioner's job. Frequent contact, active collaboration and leadership to promote this effort are expected. The Children's Cabinet meets on the first and third Wednesday of each month. Workgroups meet as necessary to work on special initiatives.

2. To support collaborative initiatives that prevent health and behavioral problems in children and youth.

The committees reporting to the Children's Cabinet are active and productive. To bring Cabinet members up-to-date, representatives from the groups to give presentations at Cabinet meetings. Through such face-to-face meetings, the Children's Cabinet members have become better informed of the inter-agency issues which impact at the operational level and can provide high-level support to these collaborations.

3. To conduct long range planning and policy development leading to a more effective public and private service delivery system.

A great deal of effort has been put into planning for this goal. The overall approach which has been identified is characterized by the values espoused by the Children's Cabinet: the importance of collaboration, using research as the basis for decision making, sharing resources and clarifying the role of government, the family and community.

The long range goal is for the Children's Cabinet to play a leadership role in planning for a statewide structure made up of a partnership between state agencies, service providers and local communities committed to promoting and supporting the needs of children and families.

4. To coordinate the delivery of residential and community-based children's services among the agencies.

The Children's Cabinet is working in conjunction with the Regional Children's Cabinets and the Children's Policy Committee to achieve this goal.

5. To assess resource capacity and allocations.

There are several initiatives underway in Maine related to developing a data base on services to children and families.

6. To improve policies and programs through the review of specific case examples.

Often the need for collaboration is highlighted by the experiences of specific individuals who "fall through the cracks" in the current system. Recognizing the importance of paying attention to these case examples, the Children's Cabinet schedules time to meet to review cases and to discuss both solutions to the specific case and the implications for policy or systems change. This goal further reinforces the belief that individual children and individual families are at the heart of our efforts.

NEW APPROACH

The Children's Cabinet is dedicated to moving Maine towards better ways to address the needs of Maine's children and families.

Current System	Moving Towards...
Problems reach crisis stage before action is taken.	Prevention and early intervention solve emerging problems well before they reach the crises stage.
Thousands of family problems receive minimal or no response either by the State or private system because of a lack of resources.	A child or family receives help the first time it is requested.
Community and State agencies act independently of each other.	Community and State agencies work collaboratively to find solutions for at-risk kids.
Schools have limited options to deal with the problems of children, culminating in policies of expulsion.	Schools and communities develop a capacity to deal with emerging problems within the school and community system.
Juvenile cases are handled with "retributive justice".	Juvenile cases are handled with "restorative justice".
Media highlights violence.	Media highlights well being of children and families.
Voices of young people rarely heard in shaping youth policy	Young people communicate their needs and desire in shaping policy

MEMBERS

The Children's Cabinet builds upon the goals and structure defined by the Legislature in 1994 for the Interdepartmental Council (IDC) and has the following members:

J. Duke Albanese, Chair; and Commissioner	Department of Education
Kevin Concannon, Commissioner	Department of Human Services
Michael Kelly, Commissioner	Department of Public Safety
Martin Magnusson, Commissioner	Department of Corrections
Susan Wygal, Commissioner	Department of Mental Health, Mental Retardation, and Substance Abuse Services

Departmental Senior Staff, representatives from the Governor's Office, and other key individuals serve as resources and provide staffing to the Children's Cabinet:

TBA	Governor's Office
Denise Lord Mary Ann Saar	Department of Corrections
Peter Walsh	Department of Human Services
Valerie Seaberg	Department of Education
John Rogers	Department of Public Safety
Lisa Burgess	Department of Mental Health, Mental Retardation, and Substance Abuse Services
Randy Schwartz, Chair	Children's Policy Committee
Freda Bernotavicz	Institute for Public Sector Innovation - Muskie School
Susan Savell	Executive Coordinator, Communities For Children initiative

INITIATIVES

Communities for Children- To measurably improve the well-being of children in every community and to increase educational attainment and achievement levels of all Maine children.

The Governor's Service Institutes - To provide 20,000 more Maine children with five fundamental resources by the year 2000 through local community service initiatives: a safe place, a healthy start, a caring adult, marketable skills, and an opportunity to give back.

Governor's Committee on Mentoring Youth: The Governor's Committee is working with the Communities for Children Leadership Councils to share the best models available for providing a mentor to every school-age child throughout the state.

Adolescent Suicide Prevention - Implement the comprehensive, statewide approach to prevention of adolescent suicide in accordance with the Governor's Task Force on Adolescent Suicide;

Strategies to Support Parents as Children's First Teachers - The State of Maine is committed to lifelong learning that begins at birth, so that all our children reach their highest potential. In order to ensure that all Maine children reach their highest potential, we will work together to help parents fulfill their promise to become effective parents and successful first teachers of their children

Integrated Case Management - To provide Maine families and children with access to services that are planned for, managed, and delivered in a holistic and integrated manner in order to improve their self-sufficiency, safety, economic stability, health, and quality of life;

Pooled Flexible Funding & Local Case Resolution Committees - Empower Local Case Resolution Committees to effectively provide services to children with multiple needs from multiple agencies.

Child Care Initiative: DHS plans to put more money into child care subsidies to meet the needs of low-income families; fund programs to increase the skill of caregivers; increase child care licensing staff for monitoring and oversight; and establish a "Trustline" where parents can check credentials of unregulated providers.

The Learning Results: The DOE, in collaboration with participating educators, parents, higher education personnel, and the business community, will continue working toward the goal that every public school student achieves the academic standards required in Maine's Learning Results, so that every student leaves school prepared for post-secondary study. We also need to encourage communities to work toward the vision that Maine people will be among the best educated in the world. To this end, the National Center on Aspirations, at the University of Maine, will expand its work with schools and our Communities for Children Leadership Councils to help children raise their aspirations.

Educating High Risk Youth: The Departments of Education, Human Services, MHMRSAS, and Corrections will collaborate on improving educational opportunities for youth involved in their service delivery systems.

Higher Education initiative: The Department of Education has set the goal that Maine people will rank among the highest in the nation in the percent seeking and attaining two-year, four-year, advanced degrees, and the percent participating in life-long learning opportunities. To achieve this goal, the following efforts will be pursued:

1. Building and maintaining integrated, community-based systems to support children and families;
2. Enhancing Maine’s public K-12 education system on a foundation of quality standards, high expectations for all students, and preparation for post-secondary education study;
3. Increasing coordination among Maine’s public higher education systems;
4. Establishing a community college system through the collaboration of the UMS, and the Maine Technical College System
5. Establishing stronger links among systems at all three levels—0-5, K-12, and post-secondary.

Parenting Education: We need to provide all Maine citizens with the tools they need to be great parents. Parenting is the one career most Maine citizens will have in common, and we need to be prepared to support all of our children in their quest for success.

[Back to Children's Cabinet Home Page](#)

<u>Priorities & Initiatives</u>	<u>Organizational Chart</u>	<u>Infrastructure & Staffing</u>	<u>OneMaine For Kids</u>
--	--	---	---

Maine State ICMS

APPROACH

- ◆ Shared leadership and control
- ◆ Community, state, and families as partners
- ◆ Willingness to alter policy, procedure, and practice
- ◆ Shared vision
- ◆ Team approach
- ◆ Continuous assessment

GOALS

- ◆ Provide better and more coordinated services to families
- ◆ Integrate case management business practices across departmental lines to create a fully coordinated and seamless delivery system.
- ◆ Create a "federated system" using an integrated case management system that is electronically linked.

PILOT SITE ROLE

- ◆ Clarify issues
- ◆ Pilot approach with families
- ◆ Develop communication networks
- ◆ Test out system

CURRENT STRUCTURE AND RESOURCES

State Steering
Committee
*Pilot Site Chairs
Subcommittee Chairs*

Pilot Sites

*Bath
Bangor
Sanford*

Subcommittees

*Business Practices
Technology
Training*

Support for Cross-Systems ICMS is provided through the Maine Children's Cabinet and a US Department of Health and Human Services Children's Bureau Interdisciplinary Training Grant awarded to the Muskie School of Public Service of the University of Southern Maine.

Bangor Area Agencies

Bangor Public Schools
Catholic Charities Maine St. Michael's Center
Child Development Services
Community Health & Counseling Service
Department of Corrections
Department of Education
Department of Human Services – ASPIRE
Department of Human Services – BEAS
Department of Human Services – BCFS
DMHMRSAS – Region III B
MSAD #22
OHI
Old Town Regional Program
Penquis CAP, Inc.
Spruce Run
Training & Development Corporation
The Acadia Hospital
United Maine Families
University of Maine – Institute for At-Risk Students
Wings for Children and Families

An Integrated Case Management System of Services for The Greater Bangor Community



ICMS

INTEGRATED CASE MANAGEMENT VISION

Provide Maine families and children with access to services that are planned for, managed, and delivered in a holistic and integrated manner in order to improve their self-sufficiency, safety, economic stability, health, and quality of life.

FUNDAMENTAL TENETS

- ◆ When two or more case managers and service providers work with a family, one of these individuals will become the Primary Case Manager.
- ◆ The entire family constitutes the case.
- ◆ The family will have one comprehensive plan for services.
- ◆ Service delivery will be coordinated and seamless.

For Information Contact

The Regional Children's Cabinet, c/o Becky Hayes Boober
Department of Human Services, 396 Griffin Road
Bangor, ME 04401
207-561-4197

or

Bill Primmerman, Department of Education - 207-287-4484

Bangor Area Integrated Case Management System Steering Committee Overview

NEED

When families are being assisted by multiple state and contract agencies, it can become cumbersome and confusing for both the families and agencies. In some cases, there were duplications of some services and no provider for other needed services.

CONCEPT

Responding to this, the Children's Cabinet and staff developed the Integrated Case Management System. Building on ideas from staff in agencies and from families, a framework was constructed to include the following:

- ◆ When multiple agencies are working with a family, the caseworkers and other agency representatives who work closely with the family will convene a planning process. All the agencies will meet with the family to identify needed outcomes and to develop a comprehensive "master plan" of services, supports and crisis interventions to achieve those outcomes.
- ◆ Safety and well being of all participants is a paramount value and outcome.
- ◆ Families will have an equal voice at the planning table.
- ◆ Ten families will participate in the Bangor pilot and then the Bangor Steering Committee will work with the caseworkers and families involved to develop recommendations on whether to expand the ICMS to more families. If it is determined that ICMS should be expanded, strategies for doing so will be developed.

MISSION

Greater Bangor agencies will collaborate to ensure the coordination and integration of efficient and effective provision of services for children and families who request or require multiple supports and services.

PROCESS

1. A family with multiple agencies involved is referred to the ICMS Steering Committee and then invited by a facilitator to participate in the ICMS process.
2. If the family agrees to participate, they will work with the facilitator to develop a list of all the agencies and their staff members working with the family. Confidentiality release forms are signed.
3. The Muskie School administers a pre-assessment regarding satisfaction with services.
4. The facilitator contacts the agencies' management and identified workers to:
 - a. Explain the ICMS process.
 - b. Obtain a list/description of parameters/restrictions for the plan and agency-required outcomes for the family (i.e., DOC probation conditions, BCFS reunification stipulations).
 - c. List current services, supports, and resources the agency is providing the family.
5. The team, including family members, meets, identifies desired outcomes and develops a comprehensive service/support/safety plan for the family. A Lead Case Manager is assigned to oversee implementation of the plan. This planning will usually take 1-3 meetings of 2 hours each.
6. Individual agencies implement their components of the plan and keep the Lead Case Manager informed of their progress, problems, etc.
7. The team may decide to meet periodically to review the plan, especially in an on-going case. Alternately, the Lead Case Manager can call a meeting when circumstances change enough to create a need for a new plan or major revision.

SYSTEMS SUPPORTS

1. Bangor ICMS Steering Committee
 - ◆ Problem-solving and barrier busting
 - ◆ ICMS framework for revision implementation resulting from ICMS teams' input and feedback on process.
2. Muskie Training Grant.
 - ◆ Post-Assessment
 - ◆ Training – Cross-Disciplinary and Child & Family Team Practice
 - ◆ Lead Case Manager Competencies
3. Department of Labor
 - ◆ Electronic Case Manager for preliminary family profile data and case record
4. Region III Children's Cabinet and Local Case Resolution Committee

STEERING COMMITTEE GROUND RULES

- ◆ Children's, family's, and individual client's needs will come first in our decision-making.
- ◆ Members will treat each other with respect.
- ◆ We will listen to each other. One person at a time will speak.
- ◆ We will communicate openly and honestly with each other.
- ◆ Members will assume responsibility to raise any concerns they have during a discussion, before a decision is made by the group.
- ◆ Once decisions are made, we will not revisit the decision, unless additional critical information arises.
- ◆ We will start and end meetings on time.

APPENDIX H

Individuals Providing Testimony: Experts, Practitioners, Resource People and Interested Parties

**Individuals Who Provided Testimony to the Task Force:
Experts, Practitioners, Resource People and Interested Parties**

Pam Anderson, EXCEL Program, University of Southern Maine

Frank Antonucci, Consultant, Office of Truancy, Dropout & Alternative Education,
Maine Department of Education

Elizabeth Baker, Peer Mediator, Lawrence High School

Gary Barrett, Certification Specialist, Maine Department of Education

Becky Hayes Boober, Regional Children's Cabinet, Department of Human Services,

Don Cannan, Director, Lewiston Regional Technical Center

Bill Davis, University of Maine, College of Education & Human Development

Terry Despres, Winthrop Superintendent & Maine School Management Association

James F. Doughty, Superintendent, Bangor Public Schools

Ali Elhaj, President & CEO, Acadia Hospital

Pam Flood, Project Coordinator, Center for Community Inclusion

Kathryn Gainguest, University of Maine, Peace Studies,

Debbie Gilmer, Director, Center for Community Inclusion

Sueann Giorgetti, Principal, Benton Elementary School

Walt Harris, University of Maine, College of Education & Human Development

Walt Kimball, University of Southern Maine, College of Education & Human
Development

Anthony H. Krapf, Superintendent, M.S.A.D. # 59

Al LaPlante, President, Maine Alternative Education Association

Bill Leitheiser, Principal, Brewer Middle School

Cathy Lewis, Principal, Pendleton St. School, Brewer

Mike McCarthy, Principal, Portland Middle School

Harry Madson, United Way & Greater Bangor Communities for Children

Leonard G. Ney, Superintendent, M.S.A.D. # 64

Ansley Newton, Maine Department of Education, Student Assistance Team
Field Services

Helen Nichols, President-elect, Maine Alternative Education Association

Michael Opuda, Maine Department of Education, Office of Special Services

Greg Palmer, Peer Mediation Program, Brewer High School

Bill Pierce, Citizen Advocate

Raymond H. Poulin, Superintendent, M.S.A.D. # 46

Bill Primmerman, Regional Education Specialist, Health Education,
Maine Department of Education

Roger Richards, Maine Department of Education, Safe & Drug-free Schools

Russ Stryker, Maine Disability Rights Center

Professor Sydney Thomas, University of Maine, College of Education & Human
Development

Linda Trahey, Department of Human Services, Safe & Drug-free Schools

Mark Woodward, Bangor Daily News