

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

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

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

Sec. 3. 20-A MRSA §1001, sub-§15, as amended by PL 2005, c. 307, §§1 to 3, is further amended 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~~ districtwide 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 or students threatening death or bodily harm to others from a classroom or a school bus, as well as student disciplinary and placement decisions, when appropriate;

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; and

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

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

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

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

SUMMARY

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

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