



132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2204

S.P. 897

In Senate, February 10, 2026

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

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator HICKMAN of Kennebec.

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

2 **Sec. 1. 20-A MRSA §1001, sub-§9**, as amended by PL 2021, c. 295, §3 and c. 320,
3 §2, is further amended by amending the first blocked paragraph to read:

4 A student may be readmitted on satisfactory evidence that the behavior that was the cause
5 of the student being expelled will not likely recur. The school board may authorize the
6 principal to suspend students up to a maximum of 10 days for infractions of school rules,
7 except that the school board may not authorize the principal to issue an out-of-school
8 suspension to a student who is enrolled in grade 5 or below except as provided under
9 subsection 9-A or 9-E or unless the principal determines that there is an imminent danger
10 of serious physical injury to the student or others and less restrictive interventions would
11 be ineffective. An out-of-school suspension for a student who is enrolled in grade 5 or
12 below may not exceed 3 days, except as provided under subsection 9-E. The school board
13 may authorize the superintendent or principal to modify, in writing, the requirement for
14 expulsion of a student on a case-by-case basis. In addition to other powers and duties under
15 this subsection, the school board may develop a policy requiring a student who is in
16 violation of school substance use or possession rules to participate in substance use disorder
17 services as provided in section 6606. ~~Nothing in this~~ This subsection or and subsection 9-C
18 ~~prevents do not prevent~~ a school board from providing educational services in an alternative
19 setting to a student who has been expelled.

20 **Sec. 2. 20-A MRSA §1001, sub-§9-E** is enacted to read:

21 **9-E. Students expelled for sexual assault.** A school board shall adopt a policy for
22 expelling a student enrolled in any grade who is determined to have committed sexual
23 assault as described in Title 17-A, chapter 11 on school grounds or other school property
24 and for referring the matter to the appropriate local law enforcement agency.

25 A. A student who is determined to have committed sexual assault must be expelled
26 from school for a period of not less than one year, except that a school board may
27 authorize the superintendent to modify in writing the requirement for expulsion of a
28 student on a case-by-case basis. A decision to change the placement of a student with
29 a disability must be made in accordance with the federal Individuals with Disabilities
30 Education Act, 20 United States Code, Section 1400 et seq.

31 B. This subsection does not prevent a school board from providing educational
32 services in an alternative setting to a student who has been expelled.

33 C. In accordance with the proper investigation and due process provisions required in
34 subsection 9, a principal may suspend immediately for good cause a student who is
35 determined to have committed sexual assault on school grounds or other school
36 property under this subsection.

37 **Sec. 3. 20-A MRSA §1001, sub-§15, ¶J**, as enacted by PL 2021, c. 295, §4, is
38 amended to read:

39 J. Establish that an out-of-school suspension or expulsion may not be issued to a
40 student in grade 5 or below except as provided under subsection 9 ~~or~~, 9-A or 9-E or
41 unless the principal determines that there is an imminent danger of serious physical
42 injury to the student or others and less restrictive interventions would be ineffective;
43 and

