

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 Address Violent Behavior in the Classroom**

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

**Sec. 1. 20-A MRSA §262**, as enacted by PL 1999, c. 781, §1, is repealed and the following enacted in its place:

### **§ 262. Violence prevention and intervention**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Administrator" has the same meaning as in section 13001-A, subsection 1.
- B. "Assigned public school employee" means a public school employee chosen by the local president of the applicable bargaining unit to investigate violent behavior.
- C. "School grounds" has the same meaning as in section 6554, subsection 2, paragraph E.
- D. "Violent behavior" means intentional physical aggression by a student against a public school employee while on school grounds.

**2. Technical assistance.** The commissioner shall provide technical assistance to school administrative units that request assistance in the provision of violence prevention and intervention training programs for teachers, school staff and students. The assistance must emphasize conflict resolution education, peer mediation and early identification and response to signs of violence.

**3. Investigation into violent behavior.** A school administrative unit shall immediately investigate any allegation of violent behavior. The investigation must be conducted by an administrator and an assigned public school employee. If the allegation of violent behavior is substantiated, the school administrative unit shall, in consultation with the public school employee who was subjected to the violent behavior, institute an action plan to avoid future violent behavior. The action plan must be instituted prior to the student's return to regular school attendance and participation in school activities and must emphasize:

- A. Minimizing suspensions and expulsions of the student;
- B. Prioritizing counseling and guidance services for the student;
- C. Restorative justice; and
- D. Training for public school employees who interact with the student.

**4. Sick leave.** A school administrative unit may not count time away from work against a public school employee's accrued sick leave if:

- A. The time away from work is due to an injury caused by violent behavior; and
- B. A physician has determined that the public school employee is unable to work as a result of the injury sustained.

## **SUMMARY**

Current law requires the Commissioner of Education to provide technical assistance to school administrative units if they request assistance in the provision of violence prevention training. This bill requires a school administrative unit to immediately investigate allegations of violent behavior by a student against a public school employee and, if an allegation is substantiated, to institute an action plan to avoid future violent behavior. The action plan must be instituted prior to the student's return to school and must emphasize minimizing suspensions and expulsions of a student who demonstrated violent behavior, prioritizing counseling and guidance services for the student, restorative justice and training for public school employees who interact with the student. The bill also prohibits a school administrative unit from counting time away from work due to an injury resulting from violent behavior against a public school employee's accrued sick leave.