



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1451

H.P. 1067

House of Representatives, April 12, 2021

An Act To Align the Expulsion Process with School Disciplinary Policies

Received by the Clerk of the House on April 8, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CUDDY of Winterport.

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

2 **Sec. 1. 20-A MRSA §1001, sub-§8-A, ¶D** is enacted to read:

3 D. The school board shall incorporate into the due process standards under this
4 subsection policies adopted under subsection 15-A or, if no policies have been adopted,
5 standards consistent with the criteria listed under subsection 15-A, and these policies
6 or standards must be complied with before the school board may issue a written
7 decision to expel a student, including an expulsion under subsection 9 or subsection
8 9-A.

9 **SUMMARY**

10 This bill requires that a school board incorporate disciplinary policies into its due
11 process standards for determining whether to expel a student. A school board is required
12 to consider the following:

13 1. Focusing on positive interventions and expectations and avoiding focusing
14 exclusively on unacceptable student behavior;

15 2. Focusing on positive and restorative interventions that are consistent with evidence-
16 based practices rather than set punishments for specific behavior and avoiding so-called
17 zero-tolerance practices unless specifically required by federal or state laws, rules or
18 regulations;

19 3. Allowing administrators to use their discretion to fashion appropriate discipline that
20 examines the circumstances pertinent to the case at hand; and

21 4. Providing written notice to the parents of a student when the student is suspended
22 from school, regardless of whether the suspension is an in-school or out-of-school
23 suspension.