

TESTIMONY IN SUPPORT OF

L.D. 165

AN ACT TO ALLOW SCHOOL BOARDS TO EXPEL OR SUSPEND
STUDENTS REGARDLESS OF GRADE LEVEL

March 13, 2025

Senator Rafferty, Representative Noonan Murphy and members of the Education and Cultural Affairs Committee. I am Eileen King, the deputy executive director for Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and Maine School Superintendents Association in support of L.D. 165.

We know members of your committee are hearing more and more concerns from educators about increasing student behavioral challenges in our classrooms. We are hearing those same concerns, from nearly all corners of our state. These challenges not only disrupt learning, but they also create an environment where students and educators feel unsafe. Parents have shared that their children feel nervous about coming to our school. We know our classrooms and educators need more support to improve this situation and ensure that every student can feel safe and ready to learn.

The amended bill you have before you – L.D. 165 – was crafted as a result of educational advocacy groups coming together to work towards one possible solution. We do have concerns about the wording of this particular language in the amendment released last week, and we are offering alternative language that we think is more targeted and will better support students.

Our superintendents and school board members want students to be in the classroom, where they are safest and in the best position to grow and learn. Unfortunately, we have seen many examples where a student's behavior disrupts their learning environment, and a school has limited staffing, space and resources to address these situations inside the school building. In these circumstances, short-term suspensions can serve as a limited tool that can allow school teams to come together, assess the situation, implement appropriate interventions, and develop a structured plan to reintegrate a student successfully. No administrator ever wants to send a student home, but in these instances, that temporary removal is a necessary, strategic step towards developing interventions that support a student's long-term success.

Under our current laws, educators feel that in some cases, they simply do not have the time nor the resources to do this work in an effective way. If a student must return immediately – without the proper preparation and support in place – educators may feel unprepared to handle their classroom, creating stress, unease, and anxiety. This is not a safe and supportive learning environment.

The amended version of L.D. 165 seeks to provide a bit more time for our schools to work together with families and staff to develop plans to reintegrate a student successfully, so that they can learn best.

Our associations support the language that Rep. Tuell is offering this afternoon. We would cut out the language about if the principal “determines that the student may benefit from time out of school” and would change the language to allow certain suspensions ***“if the principal determines that administrators and staff need additional time during the student’s suspension to develop an appropriate, supportive re-entry plan and ensure proper staff support to better meet the needs of the student upon their return to school.”***

Our members believe this language would ensure that these suspensions would only be used when they are absolutely necessary and would be implemented in such a way to ensure a more supportive environment for the student when they return. We also understand concerns from those representing students with disabilities. Our associations are committed to educating and supporting every child, and we do not expect this language to affect laws for those students.

We also believe that this cannot be the only solution to help school districts and educators work through these issues. Our schools need more funding for student mental health support. Combined, we hope that these measures can make a difference in addressing student mental health needs, reducing behavioral issues, making classrooms safer, and reducing stress on our already overwhelmed staff.

I urge the committee to support L.D. 165, recognizing the need for balanced, student-centered discipline policies that provide school leaders with the necessary discretion to maintain safe and productive learning environments.

Thank you for your time and consideration.

Statewide Data on “Violent Incidents”

School Year	2018-2019	2019-2020 (August to March)	2021-2022	2022- 2023	2023-2024
Violent Incident with Injury	447	550	690	763	735
Violent Incident without Injury	1,799	1,806	2,293	2,526	2,470
Serious Bodily Injury on Staff (restraint and seclusion)	N/A	53	68	85	60
Serious Bodily Injury on Student (restraint and seclusion)	N/A	5	16	26	21