



HOUSE OF REPRESENTATIVES

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Senator Rafferty, Representative Murphy, Distinguished Members of the Education and Cultural Affairs Committee:

My name is Will Tuell. I represent House District 10, which is comprised of roughly two dozen small towns and unorganized territories in central and coastal Washington County.

I come before you today with what I had originally thought would be a simple, albeit controversial, bill that would better enable small schools around the state to have greater latitude over school discipline, after being approached both by administrators and teachers with over 40 years experience who are struggling to handle students with escalating disciplinary issues, some of whom you will likely hear from today.

Their stories are harrowing, heartbreaking, and a big part of why our schools are struggling to find and keep quality, capable, caring staff to teach and inspire our next generation.

I'm talking about teachers like Jeff Chick, a 40-year veteran of the field who led a highly successful Jobs for Maine Graduates program in Machias, who is now teaching social studies to fourth and fifth graders in Harrington, or folks like AOS 96 superintendent Scott Porter who came up through the ranks as a math and science teacher of high school students before pursuing a career in school administration, and who is set to retire at the end of the school year after nearly twenty years in that role.

Their stories, and countless others, were the impetus for this bill, and why, ultimately, I chose to work with a broad range of stakeholders to come up with an amendment that addresses everyone's concerns about broadly giving school boards greater disciplinary power.

While I have gone through the process of acquiring my substitute teaching certification and filled in a few days here and there at my neighborhood elementary school, I am by no means an expert on school discipline.

But I respect those who are, and applaud them for coming together to come up with a workable alternative that is respectful of everyone's position on such a complex and complicated issue.

Specifically, I want to thank the Maine Education Association and Maine School Management for taking the lead on this amendment and working with other stakeholders like the Maine Principals Association and MADSEC, which represents special education directors around the state.

The amendment strikes and replaces the bill with significant input from each of the stakeholders mentioned above. They sat down, came to an accord, and brought language to me because, at the end of the day, their members, our schools, and our communities, are dealing with some truly tragic circumstances around this state, and all of us want to see kids succeed.

I'm not going to try and break down this amendment for fear I will put my foot squarely in my mouth. But each of the stakeholders is here and willing to answer any questions you have, both about their discussions and how they see this important change to school law working out.

Please take advantage of the opportunity before you, learn from people in the classroom, people who deal with some truly challenging situations, and people who just want to provide the highest quality education to students around the state.

In closing, I was struck by the testimony a few weeks ago by the school board member from Western Maine who discussed all the issues facing our schools today. Teacher pay is an important piece of that puzzle, but we are doing our teachers, our schools, our students, and our communities a disservice if we are not trying to address some of the deeper, less comfortable issues such as student behavior.

I urge you to keep that in mind as you weigh the amended version of LD 165, and ask that you vote a unanimous ought to pass as amended version out of committee.

Thank you!

Proposal for LD 165

Change title to: An Act to Modify Discipline Policies in Maine's Public Schools

STRIKE EVERYTHING FROM THE BILL EXCEPT THE FOLLOWING FOUND ON PAGE 1, LINES 21-26 OF THE BILL:

...except that the school board may not authorize the principal to issue an out-of-school suspension to a student who is enrolled in grade 5 or below except as provided under subsection 9-A or unless the principal determines ~~that there is an imminent danger of serious physical injury to the student or others and less restrictive interventions would be ineffective.~~ **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.**

An out-of-school suspension for a student who is enrolled in grade 5 or below may not exceed ~~3~~ **5** days. ~~The principal should make every effort to minimize the time the student is out of school.~~

AND MAKE THE FOLLOWING CHANGES TO SEC 4 AND 5 OF THE BILL:

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

K. Establish that an out-of-school suspension for a student in grade 5 or below may not exceed ~~3~~ **5** days. **The principal should make every effort to minimize the time the student is out of school.**