1 L.D. 165 2 (Filing No. H-Date: ) 3 EDUCATION AND CULTURAL AFFAIRS 4 Reproduced and distributed under the direction of the Clerk of the House. 5 STATE OF MAINE 6 HOUSE OF REPRESENTATIVES 7 132ND LEGISLATURE 8 FIRST SPECIAL SESSION 9 COMMITTEE AMENDMENT " "to H.P. 98, L.D. 165, "An Act to Allow School 10 Boards to Expel or Suspend Students Regardless of Grade Level" 11 Amend the bill by striking out the title and substituting the following: 12 'An Act to Modify Discipline Policies in Maine's Public Schools' 13 Amend the bill by striking out everything after the enacting clause and inserting the 14 following: 15 'Sec. 1. 20-A MRSA §1001, sub-§9, as amended by PL 2021, c. 295, §3 and c. 320, §2, is further amended by amending the first blocked paragraph to read: 16 17 A student may be readmitted on satisfactory evidence that the behavior that was the cause 18 of the student being expelled will not likely recur. The school board may authorize the 19 principal to suspend students up to a maximum of 10 days for infractions of school rules, 20 except that the school board may not authorize the principal to issue an out-of-school 21 suspension to a student who is enrolled in grade 5 or below except as provided under 22 subsection 9-A or unless the principal determines that there is an imminent danger of 23 serious physical injury to the student or others and less restrictive interventions would be 24 ineffective administrators and staff need additional time during the student's suspension to 25 develop an appropriate, supportive reentry plan and ensure proper staff support to better 26 meet the needs of the student upon the student's return to school. An out-of-school suspension for a student who is enrolled in grade 5 or below may not exceed 3 days. The 27 principal shall make every effort to minimize the amount of time that a suspended student 28 29 is out of school. The school board may authorize the superintendent or principal to modify, 30 in writing, the requirement for expulsion of a student on a case-by-case basis. In addition 31 to other powers and duties under this subsection, the school board may develop a policy 32 requiring a student who is in violation of school substance use or possession rules to 33 participate in substance use disorder services as provided in section 6606. Nothing in this 34 This subsection or and subsection 9-C prevents do not prevent a school board from

providing educational services in an alternative setting to a student who has been expelled.

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1 2	<b>Sec. 2. 20-A MRSA §1001, sub-§15, ¶J,</b> as enacted by PL 2021, c. 295, §4, is amended to read:
3 4 5 6 7 8 9	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 administrators and staff need additional time during the student's suspension to develop an appropriate, supportive reentry plan and ensure proper staff support to better meet the needs of the student upon the student's return to school; and
10 11	<b>Sec. 3. 20-A MRSA §1001, sub-§15, ¶K,</b> as enacted by PL 2021, c. 295, §4, is amended to read:
12 13 14	K. Establish that an out-of-school suspension for a student in grade 5 or below may not exceed 3 days and that the principal shall make every effort to minimize the amount of time a suspended student is out of school.'
15 16	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY** 

This amendment replaces the bill and changes the title. The amendment provides that a school board may not authorize a principal to issue an out-of-school suspension to a student in grade 5 or below unless the principal determines that administrators and staff need additional time to develop an appropriate, supportive reentry plan and ensure proper staff support to better meet the needs of the student upon the student's return to school. The amendment also requires a principal to make every effort to minimize the amount of time a suspended student is out of school.