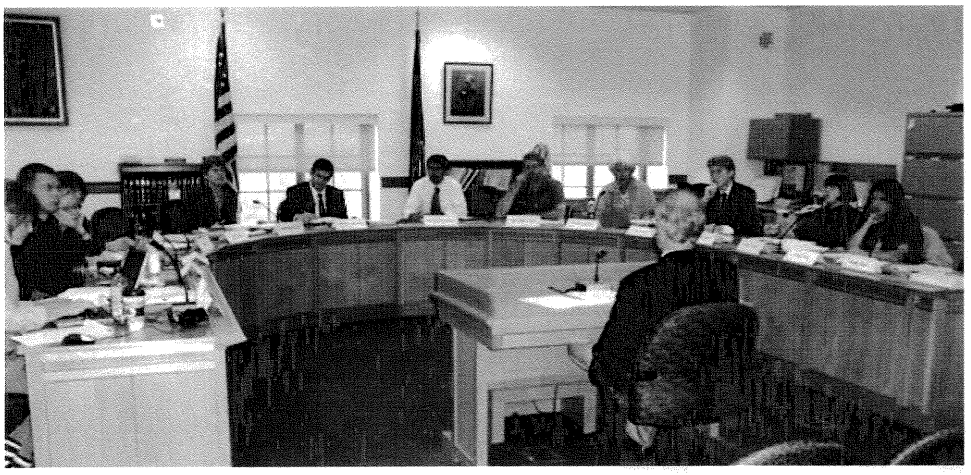
STATE OF MAINE
123rd LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE YOUTH ADVISORY COUNCIL

2007 Biennial report to the Maine Legislature

December 2007

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Table of Contents

EXECUTIVE SUMMARY i

INTRODUCTION
Introduction 1
Prior Accomplishments of LYAC 2
LYAC's 2007 Policy Focus 3
ISSUE 1: Youth Representation on the State Board of Education
Discussion 4
Findings and Recommendations 6
ISSUE 2: School codes of conduct and co-curricular contracts
Discussion 9
Findings and Recommendations 12
ISSUE 3: Integrated Youth Health Survey
Discussion 13
Findings and Recommendations 14
ISSUE 4: Upcoming bills affecting youth
Discussion 14
Findings and Recommendations 16
ISSUE 5: Organization and effectiveness of LYAC
Discussion 16
Findings and Recommendations 19
ISSUE 6. Allowing 16 year olds to "pre-register" to vote
Discussion 19
Findings and Recommendations 19
CONCLUSIONS 20

APPENDICES
A. Statutes governing LYAC 21
B. Current LYAC membership 27
C. 2007 LYAC meeting summaries 31
D. LD 151, An Act to Include Student Representation on the State Board of Education 57
E. State Board request for LYAC input on criteria for youth member selection 61
F. LYAC recommendations to the State Board criteria for youth member selection 65
G. Summary report of State Board of Education Youth Forum 69
H. State Board of Education youth member application 75
I. LD 1254, An Act to Modify the Student Code of Conduct 79
J. Sponsor's Amendment to LD 1254 83
K. Letter from the Education Committee requesting LYAC's review of LD 1254 87
L. Letter from the Maine Center for Disease Control and Prevention 91
M. LYAC Survey Instrument 95
N. Florida and Hawaii laws allowing voter "pre-registration" by 16 year olds 99
O. Recommended legislation 105

Executive Summary

LYAC Co-Chairs Rep. David Farrington (left) and Benjamin Goodman listen to testimony at LYAC's July 18th meeting

The Legislative Youth Advisory Council (LYAC) is established in Title 3, section 168-A of the Maine Revised Statutes as a permanent advisory body to the Maine Legislature. LYAC is a 20-member Council consisting of two members of the House of Representatives, two members of the Senate and 16 youth members from around the state. The purpose of LYAC is to advise the Legislature on matters pertaining to the youth of Maine. The Maine Legislative Youth Advisory Council was the first state-level legislative youth council to be established in the nation and has since become a model for other states and municipalities seeking ways to incorporate youth input into the state and local legislative process.

Since our inception in 2002, LYAC has advised the Legislature on a wide range of policy issues affecting youth. As we enter our sixth year, we are proud to present this 2007 biennial report to the members of the 123rd Legislature.

Our recommendations in this report fall into six policy areas, as outlined below. The body of this report includes detailed discussions of these issues along with associated findings and recommendations. We have included all relevant supporting materials as appendices to this report.

Pursuant to our authority under 3 MRSA, §168-A, we are recommending legislation to implement our recommendations to the Maine Legislative Council for consideration by the appropriate committee or jurisdiction during the Second Regular Session of the 123rd Legislature. Our proposed legislation is included as Appendix O in this report.

In summary, our recommendations in each of the six policy areas are:

ISSUE 1. Youth representation on the State Board of Education.

Recommendation 1: Flexibility in the application process. *The Legislative Youth Advisory Council strongly recommends that the Board build flexibility into the application process to avoid the inadvertent exclusion of highly qualified candidates who may not meet a set of fixed criteria. While the Legislative Youth Advisory Council recognizes that selected candidates must ultimately meet high standards, we suggest that using the criteria as guidelines rather than as strict standards would allow more flexibility in the selection process.*

Recommendation 2: Qualities of the selected candidate. *The Council recommends that the Maine State Board of Education select student members who demonstrate the following qualities:*

- *Experience in community service;*
- *Strong leadership skills and independent student voice;*
- *Understanding of the commitment level and ability to prioritize; and*
- *Dedication to the responsibilities of the State Board*

Recommendation 3: References. *The Council recommends that the teacher references, as required by 20-A MRSA §401, sub-§1-C, provide specific examples of how the candidate has demonstrated the recommended qualities.*

Recommendation 4: Require personal written statement. *The Council strongly recommends the Maine State Board of Education consider requiring applicants to submit, in addition to the three required teacher references, a written personal statement describing his or her willingness, dedication and qualifications to take on the challenges of the appointment. The Council further suggests that the Board provide applicants with specific instructions for writing the personal statement based on the qualities and characteristics it seeks in a candidate.*

Recommendation 5: Optional peer and community member recommendations. *The Council recommends that the Maine State Board of Education consider providing applicants with the option of submitting a recommendation from a peer or member of the community as part of his or her application. We recognize the reality of peers having knowledge about a candidate's character and qualifications that adults may lack, and we recognize that teachers may not be the only adults with valuable and applicable information to share about a candidate's experience and qualifications. We recommend the Board allow such information to be considered when applicable.*

Recommendation 6: *We recommend that the Joint Standing Committee on Education and Cultural Affairs amend the laws governing the eligibility of students for appointment to the State Board of Education to eliminate the unintended effects that will prevent many students from being eligible for consideration as a student appointee to the Board at any time during their high school career.*

Recommendation 7: *We strongly recommend that the Joint Standing Committee on Education and Cultural Affairs amend existing law to allow the student representatives to the Board of Education to serve as voting members of that Board.*

ISSUE 2. School codes of conduct and co-curricular contracts.

Recommendation 8: *We support the unanimous "Ought-not-to-pass" report of the Joint Standing Committee on Education and Cultural Affairs on LD 1254.*

Recommendation 9: *We recommend that, if the Legislature ever considers amending the Juvenile Code to allow more information sharing about juvenile investigations between law enforcement and schools, that the only purpose for such information*

sharing be to allow appropriately trained persons in the school to confidentially help the student obtain whatever behavioral or substance abuse support or rehabilitation is needed. We believe strongly that such information should never be shared solely for purpose of providing the school with a basis for taking disciplinary action against a student. Specifically, we believe such information should be shared with a school only:

- *With the consent of the student;*
- *With an appropriately trained social worker or counselor in the school;*
- *When that person is required to keep such information confidential from others, including others in the school; and*
- *For the purpose of helping, not disciplining, the student.*

Recommendation 10: *We recommend that the Legislature direct the Department of Education to adopt major substantive rules specifying the minimum elements that must be included in any co-curricular "honor contract", should a school choose to incorporate such contracts into its code of conduct. We recommend those minimum elements include, but not be limited to, the types of behavior covered by the contract, the extent to which the contracts cover behavior of students while off school grounds and not engaged in school sponsored activity, provisions to ensure that the contract will be enforced consistently and fairly among all students and the standards to be used by the school to determine whether or not a student has violated the co-curricular contract.*

ISSUE 3. Integrated Youth Health Survey.

Recommendation 11: *We recommend that the MCDC and the inter-agency committee continue their efforts to improve the focus and administrative efficiency of it statewide survey of health behaviors among youth and to continue their efforts to include youth input, including input from the Legislative Youth Advisory Council, into the development of the survey instrument.*

ISSUE 4. Upcoming bills affecting youth.

Recommendation 12: *LYAC will follow certain bills during the Second Regular Session and will provide testimony in support of these bills to the appropriate joint standing committee of the Legislature.*

ISSUE 5. Organization and effectiveness of LYAC.

Recommendation 13: *We recommend that the Legislature allow LYAC to meet more than six times per year, provided that those additional meetings are funded through outside contributions rather than from the General Fund, and that those additional meetings be used to allow LYAC to meet in communities outside of Augusta in conjunction with schools or meetings of local youth groups.*

Recommendation 14: *We recommend that the biennial reporting date for LYAC be moved from December 1st in every odd-numbered year to February 1st of every even-numbered year to allow more time between the late-November statewide Peer Leadership Conference and our report date.*

ISSUE 6. Lowering the voter registration age to 16.

Recommendation 15: *A majority of LYAC members recommend the Legislature amend the law to allow persons who otherwise meet the voting registration requirements to "pre-register" to vote upon reaching the age of 16.*

Recommendation 16: *A majority of LYAC members recommend that, if enacted, the Office of the Secretary of State take the necessary steps to implement this "pre-registration" process and to undertake an educational program to ensure that youth and municipal Registrars are aware of this option.*

We thank every member of the Legislature for your continued support of the Legislative Youth Advisory Council. We believe that youth input into statewide policy issues affecting youth is critical to the successful implementation of those policies, and we strive to meet our obligations to provide you with that input. We look forward to working with you to implement the recommendations included in this report and to continue to serve the Legislature as a resource for providing youth input into the myriad of policy issues before you.

INTRODUCTION

The Legislative Youth Advisory Council ("LYAC" or the "Council") was created in 2002 by the 120th Legislature through the enactment of Public Law 2001, Chapter 439, Part PPPP. The law governing LYAC is codified as 3 MRSA, section 168-A (see Appendix A). The Maine Legislative Youth Advisory Council was the first state-level legislative youth council to be established in the nation, and has since become a model for other states and municipalities seeking ways to incorporate youth input into the state and local legislative process.

LYAC is a 20-member Council consisting of two members of the House of Representatives, two members of the Senate and 16 youth members. The President of the Senate appoints half of the members, including the two Senators, and the Speaker of the House appoints the other half, including the two House members. All members of LYAC are appointed at the beginning of each legislative biennium and are entitled to serve for the duration of that biennial session. Youth members may be reappointed in a subsequent biennium if they are eligible under the age and educational criteria set forth in the law.

LYAC is co-chaired by a Legislative Chair and a Youth Chair and is authorized to meet up to six times per year. The Legislative Chair alternates every two years between the first-appointed member of the House of Representatives and the first-appointed member of the Senate. The Youth chair is elected at the beginning of each biennium and serves as Youth Chair for that biennium. The current legislative chair is Representative David Farrington, and the current youth chair is Benjamin Goodman, a senior at Kennebunk high school. A list of the current membership of LYAC is included as Appendix B.

The purposes of LYAC, as set forth in statute, are to:

- Advise the Legislature on proposed and pending legislation, state budget expenditures and policy matters related to youth;
- Advise the Legislature's joint standing committees, study commissions and task forces on issues related to youth;
- Conduct periodic seminars on leadership, government and the Legislature;
- Meet up to 6 times per year, including two public hearings; and
- Present a biennial report to the Legislature; and recommend legislation to implement its recommendations.

LYAC is also directed to examine issues of importance to youth, including, but not limited to, education, employment, strategies to increase youth participation in municipal and state government, safe environments for youth, substance abuse, emotional

and physical health, foster care, poverty, homelessness and youth access to services on a municipal and statewide basis.

To fulfill those purposes, we met six times in 2007 on the following days and at the following locations:

Date of Meeting	**Location of Meeting**
April 4, 2007	Augusta
July 18, 2007	Augusta
August 8, 2007	Augusta
October 25, 2007	Augusta
November 16-17, 2007	Bar Harbor
November 28, 2007	Augusta

Five of the six meetings were work sessions held at the State House in Augusta. One of the six meetings was held in conjunction with the 24th Annual Peer Leadership Conference, which took place in Bar Harbor on November 16th and 17th, 2007. This conference, organized by the Maine Youth Action Network (MYAN), brings together youth and adults from across the state for two days of workshops, activities, training and team building. Conference participants learn new skills, network with other groups, and learn about local and statewide initiatives and resources that can support their peer programs' efforts through the year. MYAN is a statewide network of organizations supporting youth, whose mission is to train, support, connect and advocate for youth to effect positive change through school and community-based peer programs. MYAN's efforts are funded by the Maine Center for Disease Control and Prevention and the Maine Department of Health and Human Services, in part with money from the tobacco settlement, the Healthy Maine Partnerships, the Teen and Young Adult Health Program, and the Office of Substance Abuse.

In addition to these activities, individual LYAC members also participated, on their own time, at a youth forum hosted by the State Board of Education on August 14th in Lewiston. In addition, Benjamin Goodman, our youth co-chair represented LYAC at the Youth Policy Institute's Third Annual Conference on September 14th and 15th in Minneapolis.

Detailed summaries of each of these meetings are included as Appendix C.

Prior accomplishments of the Legislative Youth Advisory Council

Accomplishments of LYAC over the past five years include:

- Developed or supported legislation to:

- Allow youth who will achieve the age of 18 on or before the date of the general election, to vote in selecting candidates to vote in for primary elections and state caucuses;

- Eliminate barriers for foster children to participate in extracurricular school activities; and

- Expand postsecondary educational opportunities for Maine youth, including foster children; and

- Working with state education and health officials to review policies related to:

  - Data collecting procedures used to determine alcohol and drug use among youth; and

  - Alternative drug prevention programs for youth, including a review of alcohol and drug policies for student athletes; and

- Initiating and participating in four public forums as well as other youth civic engagement initiatives to solicit input from our youth constituency; and

- Working with the State education officials to ensure youth representation on the State Board of Education.

Policy focus of LYAC in 2007

During 2007, we focused on the following six important issues affecting youth:

ISSUE 1. Youth representation on the State Board of Education. Our discussion of this topic derived from the enactment in the First Regular Session of the 123rd Legislature of LD 151, *An Act to Include Student Representation on the State Board of Education* (PL 2007, chapter 200);

ISSUE 2. School codes of conduct and co-curricular contracts. We chose to address these separate but related issues after receiving a letter from the Joint Standing Committee on Educational and Cultural Affairs requesting that we examine these issues in the context of LD 1254, *An Act to Modify the Student Code of Conduct*. Even though the Education and Cultural Affairs Committee ultimately voted unanimous "Ought-not-to-pass" on this bill during the First Regular Session of the 123rd Legislature, they asked us to review the issue and include our recommendation in this 2007 report.

ISSUE 3. Integrated Youth Health Survey. LYAC played an important role in 2003 in helping the Office of Substance Abuse make its Maine Youth Drug and Alcohol Use Survey (MYDAUS) more useful to policy makers, more

focused and more cost-effective to administer. The MYDAUS survey has since been incorporated into a more integrated student health survey being developed by an inter-agency student health survey committee led by the Maine Center for Disease Control. As requested by LYAC in its 2003 report, the Maine Center for Disease Control and the inter-agency student health survey committee continue to seek input from youth, including LYAC, on efforts to continually improve this survey.

ISSUE 4. Upcoming bills affecting youth. We identified four bills proposed for the Second Regular Session of the 123rd Legislature that affect youth. We discuss youth responses to a survey about the importance of these bills as well as LYAC's plan to follow those bills during the Second Session.

ISSUE 5. Organization and effectiveness of LYAC. After five years in existence, we believe that some changes in the way we do business are needed in order to improve our ability to advise the Legislature on matters affecting our primary constituency, the youth of Maine.

ISSUE 6. Allowing 16 year olds to "pre-register" to vote. Two states now have laws allowing youth to "pre-register" to vote when they are 16 years of age. Florida allows 16 year olds to "pre-register" to vote at the time they obtain a driver's license, and Hawaii allows youth to "pre-register" upon reaching 16 years of age. We believe that allowing youth to "pre-register" to vote at the age of 16 is an effective way to create a sense of civic responsibility among Maine's youth and to increase the rate at which youth actually participate in the voting process once they reach the age of 18.

The following sections of this report discuss each of these issues in more detail and include our associated findings and recommendations.

ISSUE 1: YOUTH REPRESENTATION ON THE STATE BOARD OF EDUCATION

Discussion

LD 151, *An Act to Include Student Representation on the State Board of Education* (Appendix D) originally proposed to expand the membership of the State Board of Education to include one student member. The bill, which was amended by the Joint Standing Committee on Education and Cultural Affairs, became law on June 4th, 2007, as Public Law 2007, chapter 200. This law, as amended, expands the membership of the Board to include two student members, including one junior in high school and one senior in high school, to serve as nonvoting members each for a term of two years. P.L. 2007, Chapter 200 requires that one of the student members reside in the First Congressional District and one in the Second Congressional District at the time of their appointment. The law spells out a nomination process and specifies certain qualifications

that student members must meet for service on the State Board. At the time a student member of the State Board's term commences, the student must:

- Be enrolled in good standing in a public high school in the State;
- Have completed 10th grade prior to the commencement of the term;
- Provide at least three references from teachers in the school that the student attends; and
- Meet other criteria established by the State Board in consultation with student in the State.

In fulfillment of its obligation to develop criteria for selecting student members of the Maine State Board of Education, the Chair of the Board met with us on two occasions to discuss this issue and ask for our recommendations on selection criteria (see Appendix E). In addition, the Board also invited us to participate in a statewide youth forum on this issue held on August 14, 2007 at Bates College in Lewiston, Maine. The forum, which was hosted by the Maine State Board of Education and facilitated by the Maine Youth Action Network (MYAN), engaged 25 high school students from around the state to voice their perspectives and opinions on the following two questions:

- What should the criteria be for the selection of student members to serve on the State Board of Education?
- What should the structure of student engagement look like to ensure that student voices influence public policy in Maine?

Students discuss criteria for selecting student representatives to the State Board of Education at an August 14th forum hosted by the State Board in Lewiston.

We spent a significant amount of time discussing possible selection criteria for youth members of the State Board and arrived at a series of recommendations that were transmitted by letter to the State Board of Education prior to the forum (see Appendix F for a copy of this correspondence). In our response to the State Board, we focused on the first question, relating to criteria for selection. Additional recommendations to the Board relating to the structure of student engagement are included in our discussion of Issue 5, relating to the ways to improve our effectiveness as a youth organization. Our findings

and its recommendations on the issue of selection criteria for student members of the Board of Education are outlined below.

In addition to submitting these findings and recommendations to the Board, LYAC members Mary Beth Moyer, Meg Richardson, Hannah Lennett, and Will Colan attended the forum and shared the Council's recommendations with the State Board and other youths attending the forum (see Appendix G for a summary of that forum).

Findings and recommendations

FINDING #1: We find that inclusion of students on the Maine State Board of Education is a positive and much needed step towards enhancing the voice of youth in state education policy matters. We support the Legislature's movement in this direction and encourage the Maine State Board of Education to implement this new requirement in a way that allows those student members to participate in those policy discussions in a meaningful way.

Recommendation 1: Flexibility in the application process. *The Legislative Youth Advisory Council strongly recommends that the Board build flexibility into the application process to avoid the inadvertent exclusion of highly qualified candidates who may not meet a set of fixed criteria. While the Legislative Youth Advisory Council recognizes that selected candidates must ultimately meet high standards, we suggest that using the criteria as guidelines rather than as strict standards would allow more flexibility in the selection process.*

Recommendation 2: Qualities of the selected candidate. *The Council recommends that the Maine State Board of Education select student members who demonstrate the following qualities:*

- *Experience in community service;*
- *Strong leadership skills and independent student voice;*
- *Understanding of the commitment level and ability to prioritize; and*
- *Dedication to the responsibilities of the State Board*

Recommendation 3: References. *The Council recommends that the teacher references, as required by 20-A MRSA §401, sub-§1-C, provide specific examples of how the candidate has demonstrated the recommended qualities.*

Recommendation 4: Require personal written statement. *The Council strongly recommends the Maine State Board of Education consider requiring applicants to submit, in addition to the three required teacher references, a written personal statement describing his or her willingness, dedication and qualifications to take on the challenges of the appointment. The Council*

further suggests that the Board provide applicants with specific instructions for writing the personal statement based on the qualities and characteristics it seeks in a candidate.

Recommendation 5: Optional peer and community member recommendations. *The Council recommends that the Maine State Board of Education consider providing applicants with the option of submitting a recommendation from a peer or member of the community as part of his or her application. We recognize the reality of peers having knowledge about a candidate's character and qualifications that adults may lack, and we recognize that teachers may not be the only adults with valuable and applicable information to share about a candidate's experience and qualifications. We recommend the Board allow such information to be considered when applicable.*

In addition to these recommendations, we discussed the issue of recommending a minimum grade point average (GPA) as a criterion for selecting a student representative on the State Board of Education. We did not reach consensus on this issue, and so we make no specific recommendation on the use of GPA as a selection criterion. Some Council members believe that GPA is a good indicator of a student's work ethic and dedication to high quality work and should be considered. Other members believe that GPA does not fully reflect a student's level of effort or dedication to hard work and requiring a minimum GPA may exclude candidates with outstanding qualities in other relevant areas of expertise. Those members caution against comparing GPA across students as they are typically enrolled in courses with varying levels of difficulty. Members who do not support the use of a minimum GPA requirement felt that the statutory requirement of being "enrolled in good standing in a public high school in the State" (20-A MRSA §401, sub-§1-C) is sufficient to satisfy academic qualifications of the selected candidate.

In November of this year, the Maine State Board of Education finalized and released its application form for students interested in being considered for selection to the Board (see Appendix H). We congratulate the Board for moving forward with this process so efficiently and were pleased to see that several of our recommendations were included in the criteria to be used for selecting the students who will serve on the Board. We recently learned that the State Board reviewed about 50 applications, and in late November, forwarded the names of two 10th graders and two 11th graders to the Governor for his consideration, as required by law.

Since sending our recommendations on selection criteria to the Board, however, we have learned of two other concerns to youth that relate to this issue. The first issue relates to the statutory criteria for student representation on the Board and the second issue relates to the voting status of student members.

With respect to first issue, relating to the statutory criteria for student representation, 20-A MRSA, §401, sub-§1 reads (in part):

> *'The state board consists of 9 members and, beginning in the 2007-2008 school year, 2 nonvoting student members, one junior and one senior in high school. All members are appointed by the Governor. One of the student members must reside in the State's First Congressional District at the time of appointment and one must reside in the State's Second Congressional District at the time of appointment.'*

And 20-A MRSA, §401, sub-§1-A reads (in part):

> *'Each student member of the state board serves for a term of 2 years, except that the senior appointed in the 2007-2008 school year serves for one year. A junior in high school must be added each year to the state board to serve a term of 2 years.'*

Although these statutory provisions appear somewhat ambiguous to us, we believe that the intent of the Committee was to require that the initial student appointments include a one-time appointment of a senior to serve a term of one year and an appointment of a junior for a term of two years. Following those initial appointments, we believe it was the Committee's intent that all subsequent appointments would be limited to juniors who are appointed for two year terms. We believe the Committee staggered the initial appointments in this manner to avoid having two new student members appointed every two years and to ensure that a junior from one district or the other was appointed each year.

We believe, however, that the combined effect of the two year terms and the requirement that only juniors be appointed inadvertently excludes large numbers of students from eligibility for consideration as appointees to the Board at any time during the course of their high school career. For example, none of the students in a district who are sophomores in a year in which a junior from that district is appointed for a two year term will ever be eligible for consideration as an appointee to the Board, since they will all be seniors (or will have graduated, depending on the timing of the appointments) by the time the next two year appointment is due. We applaud the Committee for adding two student representatives to the Board of Education, but we believe this oversight in the law has the unintended effect of disenfranchising a large number of students from this opportunity.

> **FINDING #2:** We believe that the legislation governing the eligibility criteria for student representatives to the State Board of Education inadvertently excludes many students from ever being eligible for consideration at any time during their high school career. We believe this was an inadvertent oversight in the drafting of this law, that it was not the intent of the Legislature, and that it needs to be corrected.

Recommendation 6: *We recommend that the Joint Standing Committee on Education and Cultural Affairs amend the laws governing the eligibility of students for appointment to the State Board of Education to eliminate the unintended effects that will prevent many students from being eligible for consideration as a student appointee to the Board at any time during their high school career.*

With respect to the second issue, the voting status of the student representatives, 20-A MRSA, §401, sub-§1, states specifically that the students are "*nonvoting student members*" of the Board. Although we understand that this was a carefully considered and purposeful policy decision of the Joint Standing Committee on Education and Cultural Affairs, the youth of Maine strongly believe that the student representatives to the Board of Education should have the same voting rights as other members. It is our understanding that the Board of Education has also discussed this issue and has considered the question of whether student representatives should be voting members.

Recommendation 7: *We strongly recommend that the Joint Standing Committee on Education and Cultural Affairs amend existing law to allow the student representatives to the Board of Education to serve as voting members of that Board.*

ISSUE 2. SCHOOL CODES OF CONDUCT AND CO-CURRICULAR CONTRACTS

Discussion

In June of this year, the Chairs of the Joint Standing Committee on Education and Cultural Affairs requested that we review the issues raised in LD 1254, *An Act to Modify the Student Code of Conduct*, and the committee amendment proposed by the bill's sponsor (included as Appendix I). Although the Education Committee has reported out LD 1254 with a unanimous "Ought-not-to-pass" report, the Committee indicated it may continue its discussion of this issue in the Second Regular Session, and requested our input into this issue to aid them in those discussions.

Our understanding of the issue raised in LD 1254 and its proposed amendment (see Appendix J) was the extent to which information about alleged illegal activities of a student, performed off school grounds and while not engaged in any school-related activity, can or should be available to the school and used by the school for disciplinary actions against a student either under the school's code of conduct or under a co-curricular contract signed by that student. Maine law requires all schools to adopt a district-wide student code of conduct and specifies that the code must accomplish certain objectives, including defining unacceptable behavior, prescribing consequences for violation of the code of conduct and establishing guidelines and criteria for information sharing between school administration and law enforcement. Student codes of conduct apply to student behavior while in school or while participating in school-sponsored

activities and enforcement actions against violations of the code of conduct may include, after appropriate due process, academic penalties such as suspension, or in severe cases, even expulsion. Many school codes of conduct also include provisions requiring that students engaged in co-curricular activities sign a co-curricular "honor contract" in which the student's ability to continue to participate in that co-curricular activity is linked to maintaining appropriate standards of behavior outside of school, usually pertaining to the use of alcohol or tobacco. Penalties for violating a co-curricular "honor contract" are generally limited to suspension of the student from participating in that co-curricular activity, either on a temporary or permanent basis, but do not include academic punishment such as suspension from school.

LD 1254 was referred to the Joint Standing Committee on Education and Cultural Affairs and was subsequently reported out of that Committee with a unanimous vote of "ought not to pass" on April 30, 2007. As originally drafted, the bill proposed that the laws governing the student code of conduct be modified to provide school units the legal basis for controlling student participation in co-curricular activities based on alleged unlawful behavior and to require that the Department of Education develop and make available to school boards language designed to accomplish this goal. During a work session on this bill, the bill's sponsor offered an amendment (see Appendix J) that proposed to replace the bill with language authorizing law enforcement officers and criminal justice agencies to share information with a school superintendent or principal concerning a juvenile investigation (prior to final adjudication) when the information is relevant to a violation of the school's code of conduct.

The Maine Juvenile Code governs the exchange of information regarding the confidentiality of juvenile records. Current law allows law enforcement personnel to share information with school administrators when there is credible information indicating an imminent danger to students or school personnel on school grounds or at a school function. District attorneys are required by statute to provide information to a school superintendent when a juvenile is charged with or adjudicated of having committed a crime involving the use or threatened use of physical force. The Maine Juvenile Code also allows information to be shared after adjudication of a juvenile offense when the information is to be used to develop and implement a rehabilitation plan for a student. Other than under those exceptions, school administrators do not generally have access to records of law enforcement investigations of juveniles for any purposes prior to adjudication.

At the request of the Joint Standing Committee on Education and Cultural Services (see Appendix K) we discussed this legislation and the proposed amendment in detail at our meetings on July 18th and August 8th. Those discussions included an overview of the current law, a review of the substantive provisions of the bill and amendment and testimony from the Superintendent for Kittery Schools, who played a major role in initiating LD 1254.

Our understanding, based on our review of this issue and the testimony we received, is that the proponents of LD 1254 believed that the need for this legislation was demonstrated by an incident in a southern Maine high school in which the school learned that, by virtue of not having access to information related to an on-going criminal investigation of a juvenile student, it had no basis for removing the student from the school's basketball team, unless and until that student was charged or adjudicated. The superintendent for that district testified that he believed the presence of the student on the school's basketball team, at a time when the community and other students were generally aware of the allegations against the student and the on-going investigation, was damaging to the school. He felt that his inability to take action to remedy the situation reflected a need to amend the Juvenile Code to allow such an exchange of information. The superintendent shared with LYAC his belief that schools and law enforcement agencies should, under certain circumstances, be allowed to share information relating to an on-going investigation of a student so that the school can decide whether that student should continue to represent the school in co-curricular activities.

Representative Roberta Muse and six youth members of LYAC at the Peer Leadership Conference in Bar Harbor.

In addition to the testimony and materials we reviewed, we also received significant input on this issue from youth attending our workshop at the 2007 Annual Peer Leadership Conference in Bar Harbor. Although the students attending this workshop offered a range of opinions on this issue, there was general agreement among the youth at that meeting that public policy should protect the student's right to due process with respect to criminal prosecutions and that the role of the schools should be primarily focused on protecting the learning environment by addressing behavior at school, at school sponsored events or by students involved in co-curricular activities. Youth attending our workshop were very skeptical about allowing law enforcement to share information about alleged illegal activities by a student with a school prior to adjudication. The most frequently mentioned concerns were about the student's due-process rights, potential risks to the student's reputation by the dissemination of information collected during the investigation that may not be true, and concerns that such information may prejudice other students, teachers or school administrators against a student.

After considerable discussion, we make the following findings and recommendations on this issue.

Findings and recommendations:

FINDING #3: We believe that the current Juvenile Code protects a student's right to due process and, by placing appropriate limits on the extent to which information about a criminal investigation of a student can be shared with a school, protects students against the many risks associated with a school taking disciplinary action or removing privileges before the student is adjudicated by the criminal justice system.

Recommendation 8: *We support the unanimous "Ought-not-to-pass" report of the Joint Standing Committee on Education and Cultural Affairs on LD 1254.*

FINDING #4: Although we support the unanimous ONTP report of the Education Committee on LD 1254, we strongly believe that any future consideration of this issue should require that any additional sharing of information about an on-going investigation of a juvenile be provided only with the consent of the student, only to a social worker or counselor in the school, be kept strictly confidential by that person and be used by that person only to help, not discipline, the student.

Recommendation 9: *We recommend that, if the Legislature ever considers amending the Juvenile Code to allow more information sharing about juvenile investigations between law enforcement and schools, that the only purpose for such information sharing be to allow appropriately trained persons in the school to confidentially help the student obtain whatever behavioral or substance abuse support or rehabilitation is needed. We believe strongly that such information should never be shared solely for purpose of providing the school with a basis for taking disciplinary action against a student. Specifically, we believe such information should be shared with a school only:*

- *With the consent of the student;*
- *With an appropriately trained social worker or counselor in the school;*
- *When that person is required to keep such information confidential from others, including others in the school; and*
- *For the purpose of helping, not disciplining, the student.*

FINDING #5: The enforcement of co-curricular contracts is inconsistent among schools and the contracts are often unclear about the types of behavior covered and how they apply to behavior off school property. We believe that clarity and fair and consistent enforcement of co-curricular contracts will increase the effectiveness of such contracts in influencing student behavior outside of school.

Recommendation 10: *We recommend that the Legislature direct the Department of Education to adopt major substantive rules specifying the minimum elements that must be included in any co-curricular "honor contract", should a school choose to incorporate such contracts into its code of conduct. We recommend those minimum elements include, but not be limited to, the types of behavior covered by the contract, the extent to which the contracts cover behavior of students while off school grounds and not engaged in school sponsored activity, provisions to ensure that the contract will be enforced consistently and fairly among all students and the standards to be used by the school to determine whether or not a student has violated the co-curricular contract.*

ISSUE 3. INTEGRATED YOUTH HEALTH SURVEY

Discussion

In our first report to the Legislature in 2003, we included a number of recommendations for improving the focus and administration of the statewide Maine Youth Drug and Alcohol Use Survey (known then as the MYDAUS survey) administered by the Office of Substance Abuse. Those recommendations included introducing a random survey methodology to reduce cost, expanding the target population to include home schooled students and students who attend school infrequently, improving training for teachers administering the survey and including youth input into the development of the survey tool.

In response to those recommendations, the Maine Integrated Youth Health Survey (MIYHS) committee, represented by staff from the Maine Center for Disease Control (MCDC), sought our input this year on a number of proposed changes to the methods used by the state to collect anonymous data from students on their health behaviors and related risk factors (see Appendix L). At our October meeting, we received an update from the MIYHS committee co-chair on the "Integrated Youth Health Survey," a newly developed survey designed to replace multiple youth behavior surveys, including the MYDAUS survey. The MIYHS committee co-chair reported to us that an inter-agency student health survey committee has been working over the past two years to develop a coordinated state and local survey process that draws from the Maine Youth Risk Behavior Survey, the MYDAUS survey, the Youth Tobacco Survey and the Youth Behaviors and Assets Survey. This new survey instrument will be administered for the first time in the spring of 2009, and will eliminate the need for a separate MYDAUS and Youth Tobacco Survey after February of 2008. The MIYHS committee that has been working on these issues currently consists of the MCDC, the Maine Department of Education, the Office of Substance Abuse, the Partnership for a Tobacco-free Maine, the University of Southern Maine epidemiologists, "Maine Marks" staff, the Communities for Children and Youth and the Maine Department of Labor.

In its presentation to us, the MIYHS committee co-chair specifically addressed concerns we had raised in our 2003 report. We were pleased to learn, for example, that the survey development process now includes youth input from online surveys and focus groups, will use a random sampling methodology, reduces the number of questions on the survey instrument and develops teacher training protocols. The MIYHS co-chair presented us with a list of 52 proposed school-level questions and 18 proposed state-level questions of interest to schools, and asked for our input into the process being used to develop this new survey and on the specific questions being considered.

We were impressed with the MIYHS committee's interest in obtaining youth input into this survey, and we believe that they have made noticeable improvements since 2003 in the survey instrument and in the administration of the survey. We continue to believe, as we did in 2003, that this information is crucial in identifying and addressing high risk health behavior issues among Maine's youth. We also believe that improved data collection methods will help the State direct the limited amount of money available for grants to youth-related health behavior programs to the most effective programs in areas of the state having the highest need. Although several LYAC members reiterated past concerns about the reliability of the survey data and others offered suggestions on how to simplify questions and avoid repetition, we all believe the inter-agency committee has made significant progress and we look forward to continuing to consult with them during the development of this survey.

> **FINDING #6**: The MIYHS committee and the Maine Center for Disease Control have made significant improvements in the design and administration of statewide student survey relating to health behaviors among youth.

> ***Recommendation 11:*** *We recommend that the MCDC and the inter-agency committee continue their efforts to improve the focus and administrative efficiency of it statewide survey of health behaviors among youth and to continue their efforts to include youth input, including input from the Legislative Youth Advisory Council, into the development of the survey instrument.*

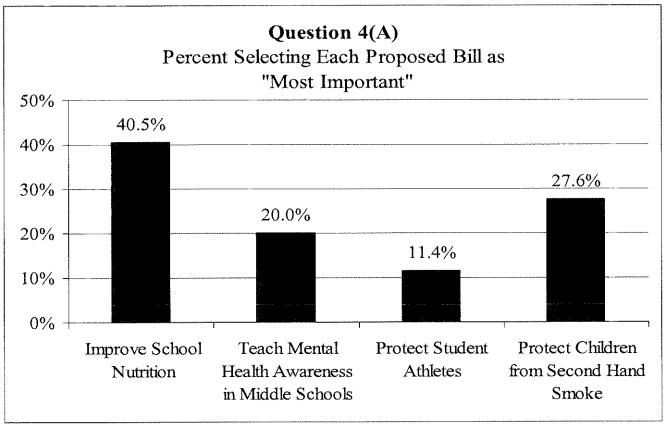
ISSUE 4. UPCOMING BILLS AFFECTING YOUTH

Discussion

As part of our participation in the 24th Annual Peer Leadership Conference in Bar Harbor, we designed and administered a four question survey to the youth who attended the conference key-note address on Friday, November 16, 2007. The purpose of the survey was to gauge the level of awareness about LYAC among Maine youth, to explore ways in which we could raise that level of awareness among youth, how youth would most prefer to communicate issues or concerns with us and how youth would rank four specific youth-related legislative proposals submitted for consideration in the Second Regular Session of the 123rd Legislature. We distributed the 4-question survey to the 362

youth attending the key-note address, and collected the completed surveys immediately following the address. A copy of the survey instrument is attached as Appendix M.

A total of 282 survey responses were returned, of which 72 (25.5%) were determined to be unusable for various reasons. This left us with a sample of 210 useable surveys, which represents about 58% of the population of conference attendees. Since this was not a random survey, the results cannot be reliably used to make inferences about the statewide youth population, but we believe they are useful in understanding the views and opinions of the youth who attended the conference.

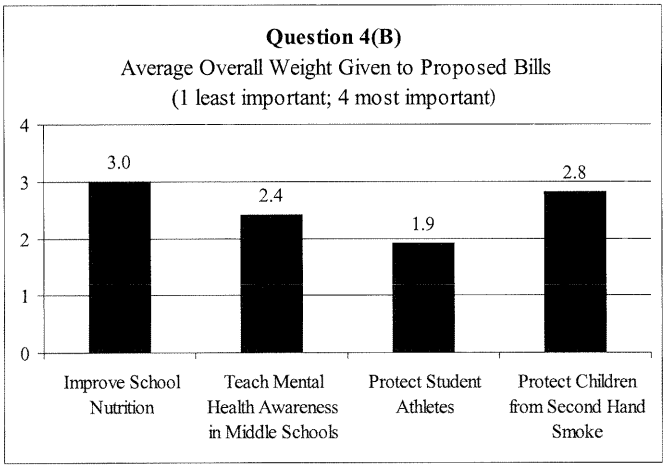


Question 4 in this survey asked youth to rank four youth-related bills proposed for consideration in the Second Session of the 123rd Legislature. The survey asked each person to rank-order these four bills on a scale of 1-4, with 1 being the least important and 4 being the most important. We included this question to help us determine which issues in the upcoming session were most important to youth. It is important to note that, since these bills were not drafted at the time of the survey, the youth had only the title of the bill and a brief, one sentence summary of the purpose of the bill on which to base their opinion. Responses to Question 4 are shown in the two charts provided below.

The first chart, labeled Question 4(A), shows the percent of youth who selected each bill as the "Most Important." As can be seen, *An Act to Improve School Nutrition* was selected as most important by the largest percentage of respondents (40.5%), followed by *An Act to Protect Children from Second Hand Smoke* (chosen as most important by 27.6%), *An Act to Require Teaching of Mental Health Awareness in Maine's Middle Schools* (chosen as most important by 20%) and *An Act to Protect Student Athletes* (chosen as most important by 11.4%).

The second chart, labeled Question 4(B), shows the average overall weight given to each bill by all respondents. The order of importance is, as expected, the same as shown in the chart labeled Question 4(A). However, the Question 4(B) chart shows that the weights for each bill vary in the upper mid-ranges from 2 and 3. This indicates to us

that, although school nutrition and second hand smoking are clearly the top two most important bills, none of the bills are unimportant to youth.



Findings and recommendations

FINDING #7: None of the four bills identified by LYAC were considered unimportant to youth. The two most important to youth were bills pertaining to school nutrition and second hand smoke.

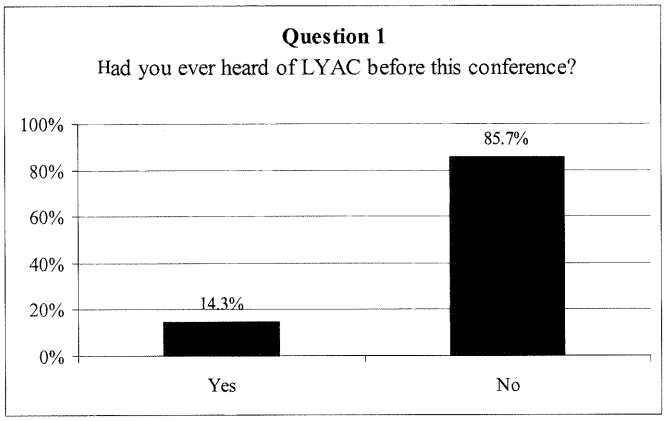
Recommendation 12: *LYAC will follow these bills during the Second Regular Session and will provide testimony in support of these bills to the appropriate joint standing committee of the Legislature.*

ISSUE 5. ORGANIZATION AND EFFECTIVENESS OF LYAC.

In addition to the survey question discussed above, our survey of youth at the Peer Leadership Conference asked three questions relating to LYAC, specifically about the awareness of LYAC among youth and ways in which we could raise awareness and communicate with youth.

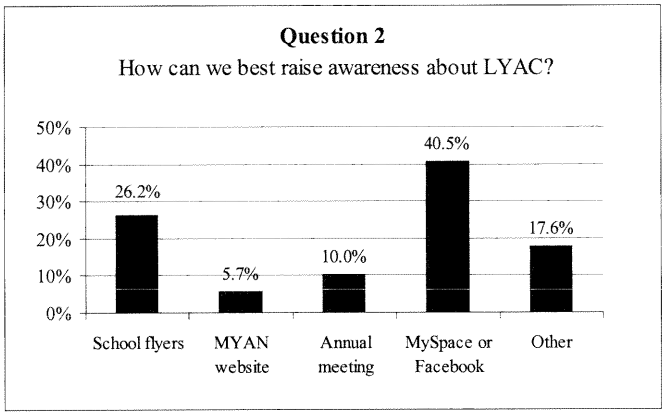
We included these questions to help us evaluate our effectiveness in representing youth and whether or not we should consider changing the way we do business in order to better represent our constituency to the Legislature. We discuss the responses to each of those questions below, followed by a more general discussion of the overall meaning of those responses.

Question 1. Question 1 asked whether youth had ever heard of LYAC prior to attending the MYAN conference. The chart below shows that only a small minority of youth (14.3%) had heard of us prior to the conference, and that a large majority (85.7%) had not. Since our inception in 2002, we have wrestled with the question of how best to increase our awareness among youth in Maine. These results clearly illustrate that, after



five years of existence, the Legislative Youth Advisory Council is still largely unknown among our primary constituency, the youth of Maine.

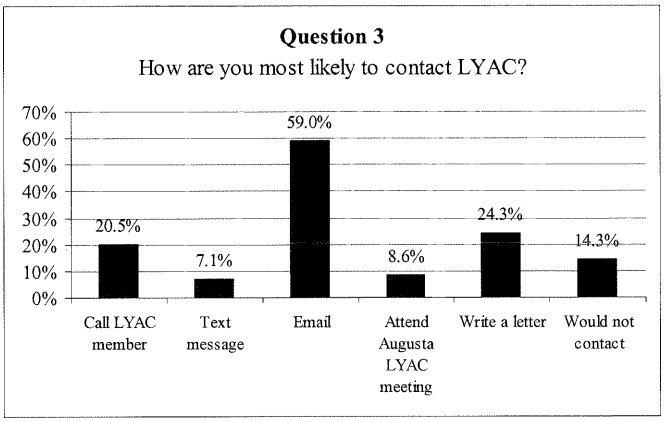
Question 2. Question 2 was designed in part to follow-up on the responses to Question 1 by asking youth how we could most successfully raise our awareness among youth. Four specific ideas were offered, along with a fifth option allowing the respondent to write in an answer. Respondents were asked to choose only one response, so that we could get a sense of which of the options were most important to the person taking the survey.



The results of Question 2 support our belief that, to raise our awareness among youth, we must increase our presence in the electronic and community environments most often used by youth to communicate and share information. As shown in this chart, 2/3rds of the respondents (66.7%) indicated that LYAC could most successfully raise awareness either by posting flyers in schools or creating an electronic presence for itself on the social networking websites "MySpace" or "FaceBook".

This theme was also reflected among those youth who chose to write in their own response (the "other" category), many of whom focused on the importance of local

meetings, working through high schools and using other electronic communication options such as "YouTube" as the most successful ways to increase awareness. Not surprising to us, more formal or structured avenues for sharing information, such as



through websites or an annual meeting, received the least support.

Question 3. Question 3 was again intended to follow-up on the previous questions by asking youth how they would most likely chose to contact us if they had an issue or concern they wanted to bring to the attention of the Legislature. Six options were provided, and this time the youth were asked to choose as many of the options as they wished.[1]

As shown in the Question 3 chart, the strong preference for electronic communication methods found in response to Question 2 is also evident in responses to this question. Email was, by far, the most preferred option (59%), followed by writing a letter (24.3%) or using the telephone (20.5%). Overall, options involving phones or computers (email, text messaging and calling) were selected by a large majority (86.6%) of the youth. Alternatively, attending a meeting in Augusta was selected by only 8.6% of the youth. This seems consistent with the responses to Question 2 suggesting a low priority on structured meetings outside the local community as a way to communicate.

We view these survey responses are very informative to us as we continue our discussions about how to increase our awareness among youth, to create an environment in which youth can easily communicate with us about issues or concerns they feel should be brought to the attention of the Legislature, and how to best identify and advocate for issues that are important to youth. As we enter into our sixth year of existence, we believe it is time for us to carefully and thoughtfully consider how we, as a youth council, need to change in order to better hear from and represent our constituency, the youth of Maine.

[1] Percentages add up to more than 100% because respondents could chose more than one option.

FINDING #8: LYAC must begin a process of identifying ways in which it can increase its awareness among youth and in communicating with youth so that we can be more effective in identifying and advising the Legislature on issues that are important to youth.

Recommendation 13: *We recommend that the Legislature allow LYAC to meet more than six times per year, provided that those additional meetings are funded through outside contributions rather than from the General Fund, and that those additional meetings be used to allow LYAC to meet in communities outside of Augusta in conjunction with schools or meetings of local youth groups.*

Recommendation 14: *We recommend that the biennial reporting date for LYAC be moved from December 1st in every odd-numbered year to February 1st of every even-numbered year to allow more time between the late-November statewide Peer Leadership Conference and our report date.*

It is our intent to spend time in 2008 addressing the second question posed by the Maine State Board of Education and discussed briefly under Issue 1: *"What should the structure of student engagement look like to ensure that student voices influence public policy in Maine?"* This is an important question for us, as well as for the Board of Education. These survey responses suggest a number of ways in which we can move toward that goal, and we hope to make that discussion a large part of our work in 2008.

ISSUE 6. ALLOWING 16 YEAR OLDS TO "PRE-REGISTER" TO VOTE

Discussion

At our November 28th meeting, we discussed a proposal put forward by several LYAC members to lower the voter registration age to 16. This is not a proposal to lower the voting age itself, which is set at 18 in the Maine Constitution. Two states have recently enacted laws allowing youth to "pre-register" to vote when they are 16 years old. Florida allows 16 year olds to "pre-register" to vote at the time they obtain a driver's license, and Hawaii allows youth to "pre-register" upon reaching 16 years of age. Copies of the laws from both those states are included as Appendix N.

After discussion, a majority of the members of LYAC present at the meeting voted to endorse amending Maine law to allow youth to pre-register to vote upon reaching the age of 16. Those members felt strongly that allowing youth to "pre-register" to vote at the age of 16 is an effective way to create a sense of civic responsibility among Maine's youth and to increase the rate at which youth actually participate in the voting process once they reach the age of 18. One member present at the meeting voted against this proposal, expressing the opinion that he was not convinced that pre-registration would necessarily result in increased voter participation by 18 year-olds.

FINDING #9: Allowing 16 year-olds to "pre-register" to vote in Maine will create a strong sense of civic engagement among Maine's youth and will increase the rate at which youth actually participate in the voting process once they reach the age of 18. We believe that, to be effective, this "pre-registration" option must be widely advertised by appropriate state agencies, such as through the Office of the Secretary of State, to youth and to municipal registrars.

Recommendation 15: *A majority of LYAC members recommend the Legislature amend the law to allow persons who otherwise meet the voting registration requirements to "pre-register" to vote upon reaching the age of 16.*

Recommendation 16: *A majority of LYAC members recommend that, if enacted, the Office of the Secretary of State take the necessary steps to implement this "pre-registration" process and to undertake an educational program to ensure that youth and municipal Registrars are aware of this option.*

CONCLUSIONS

This report represents the work of the Maine Legislative Youth Advisory Council over six meetings held during 2007. The report makes nine findings and 16 recommendations in six distinct policy areas affecting the youth of Maine. We are pleased to present this report and these findings and recommendations to the Second Regular Session of the 123rd Legislature.

We have included in Appendix O two proposed bills to implement the recommendations in this report that require Legislation action.

APPENDIX A

Statutes Governing LYAC

§168-A. Legislative Youth Advisory Council

There is established the Legislative Youth Advisory Council, referred to in this section as the "council." [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

1. Duties. The council shall perform the following duties:

A. Advise the Legislature, the President of the Senate and the Speaker of the House of Representatives on proposed and pending legislation, state budget expenditures and policy matters related to youth; [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

B. Advise the joint standing committees of the Legislature and study commissions, committees and task forces regarding issues related to youth; [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

C. Conduct periodic seminars for its members regarding leadership, government and the Legislature; [2003, c. 20, Pt. F, §2 (amd).]

D. Meet at least 3 times but not more than 6 times per year, including not more than 2 public hearings on issues of importance to youth; and [2003, c. 20, Pt. F, §2 (amd).]

E. Report biennially to the Legislative Council on its activities by December 1st preceding each second regular session of the Legislature. The council may submit proposed legislation as part of its report to the Legislative Council to implement its recommendations. [2005, c. 616, Pt. B, §1 (amd).]

[2005, c. 616, Pt. B, §1 (amd).]

2. Jurisdiction. The council shall examine issues of importance to youth, including, but not limited to, education, employment, strategies to increase youth participation in municipal government and State Government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness and youth access to services on municipal and statewide bases.

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

3. Membership. The council consists of 20 voting members who are Maine residents and appointed in accordance with this subsection. In appointing members, the appointing authorities shall consider geographic distribution. All youth and legislative appointments must be made within 60 days after the convening of each new Legislature. All appointments are for the duration of the legislative term for which the members are appointed and expire upon the convening of the next Legislature. The appointing authorities shall select youth members from youths recommended by principals, guidance counselors or administrative heads of secondary or postsecondary school systems, representatives of equivalent instruction programs or other organizations having an interest in youth activities. Members may be reappointed to subsequent terms on the council as long as they are eligible at the time of their reappointment.

A. The President of the Senate shall appoint the following 10 members:

(1) Seven youths who have attained 16 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma, enrolled in equivalent instruction programs under Title 20-A, chapter 211, subchapter 1-A or enrolled at postsecondary educational institutions located in the State;

(2) One youth who has attained 16 years of age and is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A; and

(3) Two members of the Senate.

[2005, c. 616, Pt. B, §2 (rpr).]

B. The Speaker of the House shall appoint the following 10 members:

(1) Seven youths who have attained 16 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma, enrolled in equivalent instruction programs under Title 20-A, chapter 211, subchapter 1-A or enrolled at postsecondary educational institutions located in the State;

(2) One youth who has attained 16 years of age and who is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A; and

(3) Two members of the House of Representatives.

[2005, c. 616, Pt. B, §2 (rpr).]

[2005, c. 616, Pt. B, §2 (rpr).]

4. Chairs. There is a legislative chair and a youth chair of the council. The legislative chair alternates every 2 years between the first-appointed member of the House of Representatives and the first-appointed member of the Senate, beginning in 2003 with the first-appointed member of the House of Representatives serving as the legislative chair for the 121st Legislature. The members shall elect one of their youth members to serve as the youth chair for that biennium.

[2005, c. 616, Pt. B, §3 (amd).]

5. Integration with learning results. The Department of Education may seek the cooperation of the council on the integration of council experience into the learning results standards in student service and career preparation.

[2005, c. 616, Pt. B, §4 (amd).]

6. Priorities. The council shall set priorities and shall determine the function of subcommittees, standards of conduct, process, procedures and the use of technology to convene meetings. Council members shall review and consider the procedures and rules used by the Legislature as they may be appropriate for use as models for the council.

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

7. Communication. The council may provide testimony on legislation pending before the Legislature.

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

8. Compensation. Members of the council who are Legislators are entitled to the legislative per diem and to reimbursement of reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C. All other members who are not otherwise reimbursed for their service on the council are entitled to compensation for reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C.

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

9. Freedom of access. Meetings of the council are public meetings and all records of the council are public records as defined by Title 1, section 402, subsection 3.

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

10. Staff. The Legislative Council shall provide staff assistance to the council from within its existing budgeted resources or from any grants received by the Legislative Council for that purpose. The staff assigned by the Legislative Council shall draft all legislation submitted to the Legislature by the council. Legislative Council staffing may be curtailed during periods when the Legislature is in regular or special session.

[2005, c. 414, §1 (amd).]

11. Funding. The Legislative Council may seek outside funds to fund costs of the council. Contributions to support the work of the youth council may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied or who would in any way compromise the work of the council. Any person, other than a state agency, desiring to make a financial or in-kind contribution must certify to the Legislative Council or its designee in the manner prescribed by the Legislative Council that the person has no pecuniary or other vested interest in the outcome of the work of the council. All contributions are subject to approval

by the Legislative Council or its designee. The Executive Director of the Legislative Council administers any funds received by the youth council. The executive director shall notify the chairs of the youth council of the status of the funding on or before December 1st annually and what funding is available for the immediately following calendar year.

[2005, c. 414, §2 (new).]

12. Solicitation of funds prohibited without prior written approval. No public or private entity may solicit or receive funds from any source on behalf of or for the benefit of the council without prior written approval of the Legislative Council or its executive director. All such funds, if approved and when received by the requesting entity, must be immediately transferred in full to the Legislature and reserved by the Legislature for use by the council.

[2005, c. 616, Pt. A, §1 (new).]

APPENDIX B

Current LYAC Membership List

Legislative Youth Advisory Council

123rd Legislature, First Regular Session

P.L. 2001, Chapter 439 (amended by P.L. 2005, c. 414)

Membership as of September 6, 2007

Appointments by the Speaker of the House

Rep. David Farrington	Gorham
Rep. Roberta Muse	Fryeburg
Ian Engdahl	Winthrop
Grace Wright	Brunswick
Hannah Stein	Portland
Benjamin Goodman	Kennebunk
Dave O'Heir	Waterville
Alex Cornell du Houx	Brunswick
Brandon Mazer	Brunswick
Vacant	

Appointments by the Senate President

Sen. Joseph Perry	Bangor
Sen. Paula Benoit	Phippsburg
Will Colan	Readfield
Claire Howard	South Portland
Hannah Lennett	Litchfield
Heather Pratt	Chelsea
Mary Beth Moyer	Lewiston
Margaret Richardson	Kents Hill
Zoe Baker	Kennebunk
Maureen Quinn	Portland

Staff Contacts

Patrick Norton, Brenna Byrne

Office of Policy and Legal Analysis

287-1670

APPENDIX C

LYAC 2007 Meeting Summaries

April 4th, 2007 Meeting Summary

Unanimously Approved on July 18th, 2007

Wednesday, April 4th, 2007
10:00 a.m. to 3:00 p.m.
Room 427, State House
Augusta, Maine

Youth Members and Legislative Members Present: Mary Beth Moyer, Lewiston; Hannah Stein, Portland; Brandon Mazer, Brunswick; Benjamin Goodman, Kennebunk; Hannah Lennett, Litchfield; Ian Engdahl, Winthrop; Alex Cornell du Houx, Brunswick; Rep. David Farrington, Gorham; Rep. Roberta Muse, Fryeburg; Sen. Paula Benoit, Phippsburg.

Youth Members and Legislative Members Absent: Meghan Brewer, Boothbay Harbor; Grace Wright, Brunswick; Dave O'Heir, Waterville; Will Colan, Readfield; Claire Howard, South Portland; Heather Pratt, Chelsea; Henry Beck, Waterville; Sen. Joseph Perry, Bangor.

Staff and Others Present: James Carignan, Chair, Maine State Board of Education; David Stockford, Children's Cabinet Senior Staff and Director of Special Services, Department of Education; Patrick Norton, Director, Office of Policy and Legal Analysis; Brenna Byrne, Legislative Researcher, Office of Policy and Legal Analysis.

1. Meeting Called to Order
Rep. Farrington convened the first meeting of the Legislative Youth Advisory Council by requesting introductions from each member. Rep. Farrington proceeded with opening comments about the Role of LYAC, its key function as an advisory council and a brief overview of several issues facing the current legislature on which LYAC can contribute.

2. Review of LYAC Legislation and Adoption of Rules of Procedure
Patrick Norton reviewed LYAC powers, duties, reporting requirements, Freedom of Access laws, and the Rules of Procedure as adopted by LYAC on 2006.
Motion: Brandon Mazer moved and Ian Engdahl seconded the adoption of Rules of Procedure as adopted by LYAC on January 2, 2006. The Council voted unanimously in favor of adopting the Rules of Procedure as adopted by LYAC on January 2, 2006.

3. Review of Key Findings from the Report of the LYAC Public Forums
Brenna Byrne presented key findings from the Council's report to the Legislative Council, "Report of the Legislative Youth Advisory Council Public Forums". Following, members engaged in a brief discussion about the 2 public forums LYAC held in November of 2006 and the policy issues and potential solutions that emerged.

4. Selection of a Youth Chair
The Council considered the question of how to select a youth chair. Out of concern for members who were not present, Council members decided to discuss this further and perhaps nominate

someone through email. The Council agreed that electing a youth chair would be the first item of business at the next meeting.

Break for Lunch with the Speaker of the House and Senate President

5. Briefing from the State Board of Education on LD 151

James Carignan presented the Council with an overview of the State Board of Education and the proposed changes to membership initiated by LD 151, An Act to Include Student Representation on the State Board of Education. The State Board of Education plans to convene a conference of potentially interested students with the intention of developing appropriate criteria for selecting student members for the State Board of Education. James welcomed LYAC's participation at the conference and input on the development of such criteria. This conference is expected to be held in conjunction with the Maine Youth Action Network's 24th Annual Peer Leadership Conference on November 16th and 17th.

6. Introduction from the Department of Education

David Stockford introduced himself to the Council and explained his role within the Department of Education as Director of Special Services and Senior Staff for the Children's' Cabinet. He will be monitoring LYAC meetings and offered to help target outside funding sources should the need arise.

7. Discussion of LYAC's Work Plan for 2007

Rep. Farrington challenged the Council to think about how it wants to approach the duty of advising the legislature and suggested using the findings of the public forums as the basis on which to start thinking about it. Patrick Norton offered to provide council members with a list of all bills proposed this session and their current status in the legislature as a tool to help the Council identify legislation they want to consider. Patrick Norton also reviewed with the Council two bills referred to the Education Committee relevant to the issues that emerged from the public forums as policy priorities: LD 184, An Act to Protect Children's Health on School Grounds and LD 1254, An Act to Modify the Student Code of Conduct.

Council members discussed the limited timeframe with which they have to provide input on exiting legislation and their desire to hold 2 public hearings – one in conjunction with the Maine Youth Action Network's annual leadership conference in November. Following this discussion, the Council tentatively scheduled the remainder its next five meetings. They are scheduled as follows:

1) Tuesday, June 26th	Meeting (in Augusta)
2) Wednesday, August 1st	Meeting (in Augusta)
3) Thursday, October 25th	Public Hearing (in Gorham)
4) Friday, November 16th	Public Hearing (at MYAN Conference - Bar Harbor)
5) Late Nov/Early Dec	Meeting (in Augusta)

8. Adjournment
Rep. Farrington adjourned the meeting with closing remarks encouraging youth members to contact their senators and representatives to schedule a "job shadow" day to learn more about what legislators do. Contact information for the Senators and Representatives of each youth member will be distributed by staff. The meeting was adjourned at 3:00 p.m.

July 18th, 2007 Meeting Summary
Unanimously Approved on August 8th, 2007

Wednesday, July 18th, 2007
10:00 a.m. to 3:00 p.m.
Room 427, State House
Augusta, Maine

Youth Members and Legislative Members Present: Hannah Lennett, Litchfield; Grace Wright, Brunswick; Ian Engdahl, Winthrop; Alex Cornell du Houx, Brunswick; Rep. David Farrington, Gorham; Rep. Roberta Muse, Fryeburg; Sen. Paula Benoit, Phippsburg; Sen. Joseph Perry, Bangor.

Youth Members and Legislative Members Absent: Hannah Stein, Portland; Benjamin Goodman, Kennebunk; Dave O'Heir, Waterville; Brandon Mazer, Brunswick; Will Colan, Readfield; Claire Howard, South Portland; Heather Pratt, Chelsea; Henry Beck, Waterville; Mary Beth Moyer, Lewiston; Meg Richardson, Kents Hill.

Staff and Others Present: Glenn Nerbak, Distinguished Educator, Department of Education; James Carignan, Chair, Maine State Board of Education; David Stockford, Children's Cabinet Senior Staff and Director of Special Services, Department of Education; Deborah Bicknell, Project Coordinator, Maine Youth Action Network; Jill Ippoliti, Legislative Analyst, Office of Policy and Legal Analysis; Patrick Norton, Director, Office of Policy and Legal Analysis; Brenna Byrne, Legislative Researcher, Office of Policy and Legal Analysis.

1. Meeting Called to Order, Approval of April 4th Meeting Summary
Rep. Farrington convened the second meeting of the Legislative Youth Advisory Council by requesting introductions from each member. Council members reviewed the April 4th meeting summary.
Motion: Ian Engdahl motioned and Alex Cornell du Houx seconded his motion to approve the April 4th meeting summary. The Council voted unanimously in favor of approving the April 4th meeting summary as submitted by staff.

2. Election of Youth Co-Chair
In the interest of moving forward with this piece of business, the Council agreed to proceed with nominating and voting in a youth Co-Chair. Prior to the meeting, Benjamin Goodman submitted a statement of interest in the position, which Brenna Byrne read aloud to the Council on his

behalf. Hannah Stein and Brandon Mazer were named as two other youth members who had verbally expressed interest in the position at the April 4th meeting.

Motion:

Sen. Benoit made the motion to nominate Benjamin Goodman for the position of Co-Chair. This motion was seconded by Hannah Lennett. The Council voted unanimously in favor of electing Ben Goodman as the Council's Co-Chair.

3. Briefing on Civic Engagement and Service Learning Opportunities in Maine

Glenn Nerbak, Distinguished Educator within the Department of Education reviewed with the Council the status of civic engagement and service learning opportunities around the state. Focusing on his objective to help teachers over come barriers they often face in gaining access to adequate resources necessary to fulfill new requirements for social studies recently incorporated into the Maine Learning Results, Glenn spoke of three up-coming conferences:

1) No Citizen Left Behind – November 1st – USM, Portland.
2) No Citizen Left Behind – November 2nd – Morgan Hill Event Center, Hermon.
3) Follow up Conference in April for professional development.

Glenn reported to the Council that there are 7 schools currently involved in civic engagement projects and shared several examples of how schools are incorporating community benefits into their service learning projects. The council briefly discussed the distinction between civic engagement and service learning and how they can be combined to create meaningful experiences for youth. Rep. Farrington asked what role LYAC might play in helping Glenn with his work. Glenn stressed the value of LYAC's ability to diplomatically publicize these conferences, as well as civic engagement and service learning opportunities around the state to educators. He also welcomed member of the council to participate in the conferences, emphasizing the importance and effectiveness of student voices. The Council agreed to maintain on-going communication with Glenn and work closely to coordinate efforts in raising awareness about this issue.

4. Maine State Board of Education – Update

James Carignan, Chair of the Maine State Board of Education updated the Council on the status of the Board's efforts to develop criteria for appointing youth members to the State Board of Education – a direct result of recent legislation passed to allow student representation on the State Board of Education (LD151). The Board has been working closely with the Maine Youth Action Network to lay out a plan for determining a selection process, which has now been finalized. The Board will convene a conference of young people in Maine on August 14th at 9:30 a.m. at Bates College in the Muskie Building to address two basic questions:

1) What should the criteria be for the selection of student members to serve on the State Board of Education?
2) What should the structure of student engagement look like to ensure that student voices influence public policy in Maine?

Invitees have been either recommended by a teacher, principal or superintendent and/or have contacted the Board directly. James extended the invitation to participate in this conference to Council members. The Council asked James to review the role of the State Board. Council members discussed and debated the issue of criteria appropriate for student service on the State Board, including the importance of candidates having a strong background in community service, the relative importance of academic performance (i.e. GPA requirements), peer

recommendations in addition to teacher recommendations, school attendance, and qualities that reflect dedication given the high level nature of commitment the position involves. Council members also discussed the possibility for students who are selected to receive school credit for their service. Rep. Farrington indicated he planned on attending and would speak on behalf of the Council but strongly encouraged Council youth members to attend.

5. Maine Youth Action Network - Annual Peer Leadership Conference

Deb Bicknell, Project Director for the Maine Youth Action Network reviewed the history of the relationship between MYAN and LYAC with the Council and offered MYAN's continued support of LYAC and its work. Much of her discussion focused around the possible options for LYAC's participation in the MYAN-sponsored Annual Peer Leadership Conference in Bar Harbor, November 16th and 17th. LYAC has participated in this conference in past, having held a public hearing in 2002. Last year, several LYAC members hosted a workshop to inform the youth audience about LYAC and its work. Legislators are not expected to attend but are encouraged to participate as adult partners. The Council discussed how it might approach the structure of its participation at the conference. Deborah offered examples such as a small-group workshop or a large audience announcement for a public hearing. A more specific discussion about this was deferred to the afternoon to consider the possibility of using LD 1254 as a topic for a workshop or public hearing at the conference. Patrick Norton offered to meet with Deborah between meetings to discuss specific possibilities for the structure of LYAC's participation at the Conference and report back at the next Council meeting, which the Council accepted.

Lunch

6. LD 1254 – An Act to Modify the Student Code of Conduct

Representative Farrington re-convened the meeting by introducing a letter from the Chairs of the Joint Standing Committee on Educational and Cultural Affairs asking the Council to examine issues surrounding LD 1254 and include its thoughts and recommendation in its December 2007 Biennial Report. Jill Ippoliti, Legislative Analyst assigned to this bill, provided the Council with an overview of current law, the background on the original bill, the final disposition, the committee amendment, relevant testimony in support and opposition of the bill, as well as some possible questions for the Council to consider when discussing the issue. Youth members shared their experiences with incidences at their respective schools that illustrated a need in some cases for open information exchange between law enforcement and school administrators. Members discussed the difference between school codes of conduct, co-curricular contracts, and waivers of confidentiality and their scope of applicability to illegal activities on and off school premises. The Council agreed to continue pursuing an in-depth discussion of this issue and develop recommendations. Various supporting documents were requested for a continued discussion at the next meeting on August 8th.

7. 2007 Schedule/Work Plan, Other Business, Announcements

Schedule/Work Plan: The Council revisited its original schedule proposed at the first meeting and made several changes. The new 2007 Schedule of Meetings is as follows:

1) Wednesday April 4th — Work Meeting (in Augusta)
2) Wednesday, July 18th — Work Meeting (in Augusta)

3) Wednesday, August 8th	Work Meeting (in Augusta)
4) Thursday, October 25th	Work Meeting (in Augusta)
5) Friday, November 16th	Public Hearing (at MYAN Conference - Bar Harbor)
6) Late Nov/Early Dec	Work Meeting (in Augusta)

Other Business: Patrick Norton brought to the Council's attention a letter from the Maine Center Disease Control requesting time on the next meeting agenda to receive LYAC's input on a newly developed survey designed to replace multiple youth behavior surveys such as the Maine Youth Risk Behavior Survey, Maine Youth Drug and Alcohol Use Survey, the Youth Tobacco survey and the Search Institute's Youth Behaviors and Assets Survey. Several years ago LYAC spent time considering the issues around surveys in schools, specifically the Maine Youth Drug and Alcohol Survey and developed specific recommendations in the 2003 Legislative Youth Advisory Council's Annual Report. The Council agreed to allow time on the August 8th meeting agenda to revisit this issue, review the progress, and provide input.

Announcements: Since the last meeting on April 4th, there have been two changes in Council membership. Meghan Brewer of Boothbay Harbor resigned on June 29th stating that she is unable to attend meetings this summer due to work obligations and is starting college in New Hampshire in the fall, and felt obligated to open her seat for someone else. Meg Richardson of Kents Hill was appointed by the Senate President on July 17th. She is oversees until August 1st.

8. Adjournment
Representative Farrington adjourned the meeting at 3:00 p.m.

August 8th, 2007 Meeting Summary

Unanimously approved on October 25th, 2007

Wednesday, August 8th, 2007
10:00 a.m. to 3:00 p.m.
Room 427, State House
Augusta, Maine

Youth Members and Legislative Members Present: Mary Beth Moyer, Lewiston; Hannah Lennett, Litchfield; Ian Engdahl, Winthrop; Alex Cornell du Houx, Brunswick; Benjamin Goodman, Kennebunk; Will Colan, Readfield; Meg Richardson, Kents Hill; Rep. David Farrington, Gorham; Rep. Roberta Muse, Fryeburg; Sen. Paula Benoit, Phippsburg; Sen. Joseph Perry, Bangor.

Youth Members and Legislative Members Absent: Grace Wright, Brunswick; Hannah Stein, Portland; Dave O'Heir, Waterville; Brandon Mazer, Brunswick; Claire Howard, South Portland; Heather Pratt, Chelsea.

Staff and Others Present: Larry Littlefield, Superintendent of Kittery Schools; Shelly Reed, Truancy, Dropout, Alternative Education and Homeless Coordinator, Department of Education;

Jennifer Thompson, former LYAC Co-Chair; Patrick Norton, Director, Office of Policy and Legal Analysis; Brenna Byrne, Legislative Researcher, Office of Policy and Legal Analysis.

1. Meeting Called to Order, Approval of July 18th Meeting Summary, Review of Agenda

Meeting called to order

Rep. Farrington convened the third meeting of the Legislative Youth Advisory Council by requesting introductions from members and guests.

Approval of July 18th Meeting Summary

Council members reviewed the July 18th meeting summary.

Motion: Ian Engdahl motioned and Hannah Lennett seconded his motion to approve the July 18th meeting summary. The Council voted unanimously in favor of approving the July 18th meeting summary as submitted by staff.

Review of agenda and subsequent meeting materials

Staff reviewed the agenda and a packet of supporting meeting materials requested at the July 18th Council Meeting. *Key documents in this packet are referenced in parentheses below when relevant to Council discussions and actions.*

2. Continued discussion on the criteria for selecting youth members to serve on the State Board of Education

Representative Farrington briefly updated the Council on the background and current state of LYAC's ongoing discussion about the criteria for selecting youth members to serve on the State Board of Education. Using a summary of the Council's July 18th discussion on this matter (page 9 of info packet), the Council continued it's discussion with the intention of developing specific suggestions for the State Board of Education to consider at it's August 14th conference at Bates College in Lewiston. The Council's discussion focused on the following thoughts and suggestions:

- Using the criteria as guidelines rather than as strict standards to allow more flexibility in the selection process
- Demonstrated qualities of the selected candidate should include community service experience, leadership skills and independent student voice, commitment and dedication
- Requiring candidates to submit a personal written statement
- Providing candidates with the option to submit a peer and/or community member recommendation (i.e. to allow non-teacher recommendations)
- Minimum GPA requirements

The Council requested from staff a summary of its suggestions for discussion at the State Board Conference next week. Mary Beth Moyer, Meg Richardson, Hannah Lennett, and Will Colan agreed to represent LYAC at the conference. Brenna Byrne will attend as staff support.

Representative Farrington raised the Council's attention to the fact that in addition to the criteria for selecting youth members to serve on the State Board, the conference's second objective is to gather youth input on what the structure of student engagement should look like to ensure that student voices influence public policy in Maine. Council members raised questions about

whether or not the State Board has a plan in place to engage its selected youth members. Representative Farrington spoke to his awareness of the State Board looking to precedents set in other states, its accountability to the National Association of State Boards and having a plan in place for engaging student members. Representative Farrington reminded the council that current law does not allow voting rights for youth members selected to serve on the Board and asked the Council to think about whether or not this is something they would like to recommend.

3. Continued discussion on LD 1254, An Act to Modify the Student Code of Conduct
Representative Farrington introduced the topic as having evolved through discussion into two closely related but separate policy issues: 1) enforcing the student code of conduct for activities taking place off school premises, which applies to all students, and 2) enforcing student co-curricular contracts, which largely focus on drug and alcohol use and applies to a subset of student involved in co curricular activities. LD 1254 (page 15 info packet) as originally proposed would have required the school boards to establish policies and procedures to limit student participation in co curricular activities for behavior that is unlawful. The amendment to LD 1254 (page 17) would have allowed law enforcement to share student information with school administrators in cases where a student has been involved in criminal activity for the purpose of enabling schools to enforce their student codes of conduct.

Legislative members were largely concerned with the issue of schools enforcing restrictions on student behavior off school premises and viewed the proposed bill and amendment as mechanisms to allow school to take the law in to their own hands. Council members also expressed concern about students' right to due process and the risk of removing privileges before the student is adjudicated. Youth members agreed that student codes of conduct and co curricular contracts are ineffective in preventing illegal behavior. Many shared the perspective that a student's motivation in staying drug and chemical free (and thus honoring the typical requirements of a co curricular contract or athletic code) is to maintain good performance, not to obey the law or the contract itself. The Council discussed the possibility of incorporating confidentiality waivers into student codes of conduct, but members were generally uncomfortable with the idea of requiring students to waive their rights as a condition of being involved in co curricular activities.

Lunch

4. Briefing on the history and origin of LD 1254
Larry Littlefield, Superintendent for Kittery Schools, shared his perspective on LD 1254. The idea behind what LD 1254 attempted to address was initiated by an incident in a Kittery high school wherein the school had no legal basis to remove a student involved with illegal behavior from playing on the school's basketball team. Mr. Littlefield's primary concern is for schools to have the ability to choose who represents them and argued that this is a state-wide issue. Title 20-A of the Maine Statutes (pages 23-24 info packet) requires all schools to adopt a student code of conduct and specifies that the code must accomplish certain objectives, including the establishment of guidelines and criteria for information sharing between school administration and law enforcement. Because a school code of conduct applies to all schools, this was the only avenue sought to address the issue state-wide.

5. Continued discussion on LD 1254, An Act to Modify the Student Code of Conduct
The Council's discussion focused on whether there is a role for the Legislature to encourage conformity across school co curricular contracts that broadens illegal behavior beyond substance abuse. Many felt that much of the bill's intent is to preserve school image rather than to protect school safety and were not supportive of the bill's current language. Council members agreed on the general premise that schools' priority should be the students' wellbeing, intervention and rehabilitation, not punishment. Representative Farrington challenged the Council with thinking about suggestions it might make for language in a model co curricular contract schools could use that would promote healthy student behavior and state more clearly the consequences for violation. The Council agreed to keep this focus on a continued discussion and prioritize the issue at the MYAN conference in November.

6. Maine Youth Action Network (MYAN) 24th Annual Peer Leadership Conference
At the July 18th meeting, LYAC requested Staff to meet with MYAN and report back options for LYAC's participation at this years Peer Leadership Conference. Patrick Norton met with Deb Bicknell and presented the council with a summary of ideas generated at this meeting (page 131-132 info packet). Council members expressed interest in participating in a key note speech to raise awareness about LYAC, facilitating a workshop to get input on the issues around LD 1265, and creating a survey or suggestion box to gather input from the youth audience on other issues of importance to youth. Council members agreed that planning for the MYAN conference would be the focus of its next meeting scheduled for October 25th.

7. 2007 Schedule/Work Plan, Other Business, Announcements
Schedule/Work Plan: The Council revisited its 2007 Schedule of Meeting and made no significant changes. The 2007 Schedule of Meetings is as follows:

1) Wednesday April 4th	Work Meeting (in Augusta)
2) Wednesday, July 18th	Work Meeting (in Augusta)
3) Wednesday, August 8th	Work Meeting (in Augusta)
4) Thursday, October 25th	Work Meeting (in Augusta)
5) Fri, Nov 16th & Sat, Nov 17th	Public Hearing (at MYAN Conference - Bar Harbor)
6) Late Nov/Early Dec	Work Meeting (in Augusta)

Other Business:
Nancy Birkhimer from the Maine Center Disease Control has requested time on the next meeting agenda to receive LYAC's input on a newly developed survey designed to replace multiple youth behavior surveys such as the Maine Youth Risk Behavior Survey, Maine Youth Drug and Alcohol Use Survey, the Youth Tobacco survey and the Search Institute's Youth Behaviors and Assets Survey. Several years ago LYAC spent time considering the issues around surveys in schools, specifically the Maine Youth Drug and Alcohol Survey and developed specific recommendations in the 2003 Legislative Youth Advisory Council's Annual Report. The Council agreed to allow time on the October 25th meeting agenda to revisit this issue, review the progress, and provide input.

Announcements: Recent changes to Council membership since the last meeting on July 18th include the resignation of Henry Beck of Waterville.

8. Adjournment
Representative Farrington adjourned the meeting at 3:15 p.m.

October 25th, 2007 Meeting Summary

Unanimously approved on November 28th, 2007

Thursday, October 25th, 2007
9:30 a.m. to 4:00 p.m.
Room 427, State House
Augusta, Maine

Youth Members and Legislative Members Present: Benjamin Goodman, Kennebunk; Will Colan, Readfield; Meg Richardson, Kents Hill; Dave O'Heir, Waterville; Maureen Quinn, Portland; Zoë Baker, Kennebunk; Rep. David Farrington, Gorham; Sen. Paula Benoit, Phippsburg.

Youth Members and Legislative Members Absent: Mary Beth Moyer, Lewiston; Hannah Lennett, Litchfield; Ian Engdahl, Winthrop; Alex Cornell du Houx, Brunswick; Grace Wright, Brunswick; Hannah Stein, Portland; Brandon Mazer, Brunswick; Claire Howard, South Portland; Heather Pratt, Chelsea; Rep. Roberta Muse, Fryeburg; Sen. Joseph Perry, Bangor.

Staff and Others Present: Deborah Bicknell, Maine Youth Action Network; David Stockford, Maine Children's Cabinet Senior Staff and Director of Special Services; Susan Berry, Maine Children's Cabinet; Nancy Birkhimer, Teen and Young Adult Program (MCDC); Lauren Sterling, Maine Children's Cabinet; Patrick Norton, Director, Office of Policy and Legal Analysis; Brenna Byrne, Legislative Researcher, Office of Policy and Legal Analysis.

1. Meeting Called to Order, Approval of August 8th Meeting Summary, Review of Agenda
Meeting called to order
LYAC Youth Co-Chair Benjamin Goodman convened the fourth meeting of the Legislative Youth Advisory Council by requesting introductions from members and guests.

Approval of August 8th Meeting Summary
Council members reviewed the July 18th meeting summary.
Motion: Meg Richardson motioned and Will Colan seconded his motion to approve the August 8th meeting summary.
Vote: The Council voted unanimously in favor of approving the August 8th meeting summary as submitted by staff.

Review of agenda and subsequent meeting materials

Staff reviewed the agenda and subsequent meeting materials including a "Conference Planning Packet" containing several tools to assist Council members in planning the specifics of LYAC's agenda at the MYAN Conference, an updated contact list and 2007 Schedule of Meetings.

2. 24th Annual Peer Leadership Conference – LYAC's Agenda

A primary objective of this meeting was to plan LYAC's participation at the 24th Annual Peer Leadership Conference as approved by MYAN's Youth Planning Team. Recognizing this Conference as an opportunity to raise awareness among its youth constituency about LYAC and its role in the Legislative process as well as to gain youth input on policy issues the Council has been considering, Council members committed to these opportunities through three unique venues: a keynote presentation, a workshop, and a survey, which in combination, make up LYAC's 3-part agenda for the Conference. This section of the meeting summary outlines the details of this agenda, which reflect a series of Council decisions related to LYAC's goals for the Conference, the policy issues chosen to address with Conference participants, and how LYAC will carryout its agenda.

PART 1: KEYNOTE SPEACH (with audience break-out session)

When: Friday November 16th, 2007 3:00 p.m. (20-30 min)

What: The keynote speech is the kick off event for the conference and will involve an oral presentation, and a skit played by all LYAC members.

Goal: The goal of the keynote speech is to introduce LYAC and engage the full audience on the following policy question about the jurisdiction of school authority:

Should schools have the authority to hold students accountable for unacceptable behavior outside of school? Why or why not?

Plan: Council members agreed the keynote speech would include the following:

- Introductory skit (2-3 minutes, principal's office scenario, played by LYAC members) to capture the audience's attention and introduce the school jurisdiction policy issue.
- An oral presentation (6-8 minutes) that will address:
  - What is LYAC?
  - LYAC's role in the Legislature
  - How to get involved with LYAC
  - Introduce school jurisdiction issue (how did it come to LYAC?)
  - Display school jurisdiction policy question on power-point slide
- Audience break-out session (5-10 minutes)
  - Ask audience to break into small groups for 5-10 min, brainstorm the policy question, and write their answers down on paper provided at each table
  - Explain what LYAC will do with their answers
- Introduce LYAC survey, why it is important and what LYAC will do with the information (1-2 minutes)

PART 2: WORKSHOP - "Making Your Voice Matter: Youth Input Into Legislative Policy" (Session 4, Room 813)

When: Saturday, November 17th, 2007 11:15 a.m. (1 hour)

What: The workshop will involve 2 parts: 1) An introduction to what LYAC does with examples of recent legislation passed that effect youth, and 2) a mock LYAC meeting focusing on the school jurisdiction issue. Two LYAC members will facilitate the workshop, while other LYAC members will be in the room to listen and ask questions of audience members. One LYAC member will document the discussion.

Goal: The goals of the workshop are to 1) educate participants about how LYAC serves to bring youth voice to the legislature, and 2) to gain input from participants on the issue of school jurisdiction.

Plan: Council members agreed on the following plan for the workshop:

- Facilitators will introduce LYAC, and explain how youth can provide input to impact legislative decisions that effect youth.
- Facilitators present examples of recently passed legislation that effect youth in Maine
- LYAC members create a mock Council meeting setting to discuss the issue of school jurisdiction with participants and demonstrate how LYAC brings youth input into the legislature's decision-making process. The mock Council meeting will involve:
    - LYAC members seated in a horseshoe facing a podium
    - LYAC Co-chair/Facilitators present the school jurisdiction issue to audience and ask audience members to address the Council (using the podium) with thoughts, ideas, concerns, questions they have about the issue.
    - Facilitators/LYAC members probe audience with related policy questions (use Item 2 of planning packet)
    - Note taker documents key points of the policy discussion

- Facilitators conclude with an explanation of what LYAC plans to do with the information participants provided.

PART 3: SURVEY/SUGGESTION BOX

When: Introduced during keynote; distributed to all youth conference participants.

What: A one-page questionnaire to be distributed and completed by all youth conference participants as part of LYAC's keynote presentation.

Goal: The goal of the survey is to collect information from conference participants that LYAC can use to better understand their youth constituency and their level of awareness about

LYAC, how LYAC can improve and maintain communication with its youth constituency, and what bill proposals it should focus on next year.

Plan: Staff will create the one-page survey and distribute to LYAC for review. LYAC members agreed upon the following topics for survey questions:

- Awareness about LYAC
- How to improve and maintain contact between LYAC and youth constituency
- Rank which bills proposed that LYAC should focus on next year
- Demographic information: age, gender, town/school

3. Conference Logistics

Expectations

Deb Bicknell of MYAN, who has been involved with planning the Peer Leadership Conference for several years, provided the Council with information about what to expect at the conference. About 450 participants, including 100 volunteers and 50-60 groups from around Maine are expected to attend the Conference. Workshops are expected to have audiences of about 20 participants. With all 8 LYAC members present in the room, an audience of about 12 workshop participants can be expected.

Registration

The following LYAC members are registered Conference participants:

1. Ian Engdahl
2. Zoë Baker
3. Ben Goodman
4. Meg Richardson
5. Will Colan
6. Mary Beth Moyer
7. Hannah Stein
8. Representative Roberta Muse

Each LYAC member attending the Conference can expect to receive a confirmation email from Brenna with additional information about the conference and the expectations of participants.

LYAC members agreed to meet at the Conference registration area on Friday at 12:00 noon to re-group and rehearse for the Keynote presentation.

Permission Slips

Representative Muse has agreed to be the 'advisor' for LYAC members while at the Conference. Each LYAC member will be provided with a permission slip, naming Representative Muse as his/her advisor, which must be signed by a parent or guardian, and submitted at the conference registration table.

4. Other LYAC Business

Schedule/Work Plan: The Council scheduled its last meeting of the year for Wednesday, November 28th 10:00 a.m. to 3:00 p.m. at the State House in Augusta. The revised 2007 Schedule of Meetings is as follows:

1) Wednesday April 4th	Work Meeting (in Augusta)
2) Wednesday, July 18th	Work Meeting (in Augusta)
3) Wednesday, August 8th	Work Meeting (in Augusta)
4) Thursday, October 25th	Work Meeting (in Augusta)
5) Fri, Nov 16th & Sat, Nov 17th	Keynote/Workshop (at MYAN Conference - Bar Harbor)
6) Wednesday, November 28th	Work Meeting (in Augusta)

The final meeting will focus on developing LYAC's biennial report to the Legislature.

Changes in Membership: Since the last meeting on August 8th, changes in Council membership include two new appointments by the Senate President: Zoë Baker of Kennebunk and Maureen Quinn of Portland, both appointed on August 24th, 2007. This leaves one House-appointed vacancy for a student, 16 years of age who is enrolled in an equivalent instruction program under Title 20-A Chapter 211(1-A).

5. Integrated Youth Health Survey

Nancy Birkhimer from the Maine Center Disease Control presented the Council with an update on the Integrated Youth Health Survey, a newly developed survey designed to replace multiple youth behavior surveys such as the Maine Youth Risk Behavior Survey, Maine Youth Drug and Alcohol Use Survey, the Youth Tobacco survey and the Search Institute's Youth Behaviors and Assets Survey. In 2003, LYAC considered the issues around surveys in schools, specifically the Maine Youth Drug and Alcohol Survey and developed specific recommendations in its annual report to the Legislature, which Nancy addressed specifically in her presentation to the Council.

Input from online surveys and focus groups have continued to inform the draft development process. From a list of 400 survey questions, Nancy and her team have narrowed the list down to 230 so far. Her team is now focused on selecting from this list questions that will generate much needed school-level and state-level data on Maine's youth. Nancy presented the council with a list of 52 proposed school-level questions and 18 selected proposed state-level questions her team believes schools will want data for and asked the Council for its input on the subject matter, of these questions and effective ways of asking them. Council members re-iterated past concerns about the reliability of the data generated from the survey and made suggestions about simplifying question responses and avoiding repetition. The Council offered to be a continued source of input in the final stages of the survey's development.

6. Best Practices in Bullying and Harassment

Lauren Sterling presented the Council with an update on the Maine Children's Cabinet's work on bullying and harassment prevention policy. As a result of an executive order by the Governor to study the high rate of suicide among Maine's youth, the Maine Children's Cabinet was called on to look at school climate and the occurrence of bullying and harassment in Maine schools. LD 564, passed in 2005, required school administrative units to establish or modify policies and procedures to address bullying, harassment and sexual harassment that are consistent with

Maine's Best Practices in Bullying and Harassment Prevention, developed by the Maine Children's Cabinet. This sample policy acts as a comprehensive guide for schools and communities to more consistently address the occurrence of bullying and harassment as well as foster social climates that focus on preventing such occurrences.

The Maine Children's cabinet is actively engaged in pilot studies at 3 schools in Maine to study the implementation of its sample policy. Gathering data through online surveys, evaluating the effects of on-site training supports and coordinating with funding sources are tasks the Children's Cabinet is focused on currently and will share with LYAC when results become available.

When asked about whether the issue of 'cyber-bullying' had been factored into the best practices sample policy, Lauren explained that the issue arose after the best practices policy was published but that she is currently looking for funding to focus on cyber-bullying.

7. Adjournment
Representative Farrington adjourned the meeting at 3:55 p.m.

November 16th and 17th, 2007 Meeting Summary

Unanimously approved on November 28th, 2007

Friday November 16th, 2007
3:00 p.m. to 3:30 p.m.
Belmont Room, Conference Center
Atlantic Oaks by the Sea
Bar Harbor, Maine

Saturday, November 17th, 2007
11:15 a.m. to 12:15 p.m.
Room 813, Willows Mansion
Atlantic oaks by the Sea
Bar Harbor, Maine

Youth Members and Legislative Members Present: Benjamin Goodman, Kennebunk; Ian Engdahl, Winthrop; Will Colan, Readfield; Meg Richardson, Kents Hill; Zoë Baker, Kennebunk; Mary Beth Moyer, Lewiston; Rep. Roberta Muse, Fryeburg.

Youth Members and Legislative Members Absent: Dave O'Heir, Waterville; Maureen Quinn, Portland; Hannah Lennett, Litchfield; Alex Cornell du Houx, Brunswick; Grace Wright, Brunswick; Hannah Stein, Portland; Brandon Mazer, Brunswick; Claire Howard, South Portland; Heather Pratt, Chelsea; Rep. David Farrington, Gorham; Sen. Paula Benoit, Phippsburg; Sen. Joseph Perry, Bangor.

Staff and Others Present: Patrick Norton, Director, Office of Policy and Legal Analysis; Brenna Byrne, Legislative Researcher, Office of Policy and Legal Analysis; Youth and adult citizens from around the state.

About this meeting.
LYAC's fifth meeting of 2007 was held in conjunction with the 24th Annual Peer Leadership Conference in Bar Harbor. In partnership with the Maine Youth Action Network, LYAC planned

and convened a 2-part meeting including a 30-minute keynote presentation and break-out session and a one-hour workshop. The goal of this meeting was two-fold: to raise awareness about LYAC among conference participants, and to gain youth input on the issues surrounding LD 1254, An Act to Modify the Student Code of Conduct. These issues include school jurisdiction over student behavior outside of school, student codes of conduct, student co-curricular contracts, and the sharing of student information between law enforcement and school administration.

1. LYAC Keynote Presentation (with audience break-out session)
In front of an audience of more than 300 youth from around the state, Ben Goodman, LYAC's youth Co-Chair introduced LYAC and spoke briefly about LYAC's recent accomplishments and current objectives. Zoë Baker then spoke briefly about LYAC's role in the legislature and the importance of youth input to LYAC's work. Ian Engdahl presented the audience with a background on LD 1254, An Act to Modify the Student Code of Conduct and the issues that have arisen in LYAC's discussions on the bill. LYAC members Mary Beth Moyer, Will Colan, and Meg Richardson then presented a skit illustrating an incident similar to one that initiated LD 1254 involving a student facing punishment by the school principal for alleged unacceptable behavior outside of school. LYAC then posed the following question to the audience:

> ***Should schools have the authority to hold students accountable for unacceptable behavior outside of school? Why or why not?***

LYAC asked conference participants to brainstorm this question among each other and write their answers down on paper provided. During the brainstorming session, LYAC members went around the audience to clarify the task and/or answer questions. Lastly, Zoë Baker concluded the keynote presentation by asking the audience to take a few minutes to complete the LYAC survey, provided in their registration materials.

2. LYAC Workshop: "Making Your Voice Matter: Youth Input Into Legislative Policy"
As part of its participation at the 24th Annual Peer Leadership Conference, LYAC held a public meeting in the form of a workshop. This 'workshop' was one of many others conference participants had the option to attend. LYAC's objectives in holding this meeting were to 1) educate participants about how LYAC serves to bring youth voice to the legislature, and 2) to gain input from the public on the issues surrounding LD 1254. The workshop setting mimicked a typical Council meeting with LYAC members sitting in a horseshoe facing the audience and a podium. There were 24 members of the public (all conference participants) present at the workshop.

As workshop facilitators, LYAC members Will Colan and Meg Richardson called this meeting to order at 11:15 a.m. by requesting introductions from members and guests.

Next on the agenda, was a brief explanation of how youth input can impact legislative decision-making. Meg Richardson provided participants with the following examples of ways youth can provide input:

- Testifying at public hearings for proposed legislation
- Contacting their legislators about issues/concerns
- Contacting LYAC members about issues/concerns
- Attending LYAC meetings to discuss issues/concerns

Participants were also provided with information on how to contact their state representatives and senators.

Next, participants were provided with copies of the following legislation proposed last session that effect Maine's youth:

- An Act to Prohibit the Use of Electronic Devices by Minors While Driving (Enacted in 2007)
- Resolve, Directing the Department of Education to Encourage School Administrative Units to Encourage Secondary School Students to Apply to College (Enacted in 2007)
- An Act to Establish Working Hours and Wages for Teenagers (Not Enacted, but expected to be re-introduced next year)

Participants expressed varying levels of awareness and concerns about this legislation. Several questions rose from the audience about the cell phone bill regarding penalties and the definition of electronic devices. The audience expressed overwhelming opposition to the teenage wage bill, which proposed to reduce the minimum wage for teenage workers and increase the number of hours they can work per week. LYAC members made clear that, though this bill was not enacted, it is expected to be re-visited in the future and LYAC would monitor the bill closely.

Next, LYAC members initiated a more detailed discussion of LD 1254 by explaining how the bill came to LYAC and then asking participants to share their thoughts on whether or not schools should have jurisdiction over student behavior outside of school. Many participants expressed the belief that it is appropriate for schools to have jurisdiction over student behavior outside of school only if the student has signed a contract acknowledging his/her obligation to abstain from certain behavior as a condition of participation in co-curricular activities. Several participants argued that it is the schools place to protect students' learning environment and if a student's behavior outside of school in any way threatens school safety, then it would be appropriate for the school to intervene. Most agreed strongly that schools should not be able to punish a student for alleged behavior without proof or without formal charges by law enforcement.

Many participants voiced the opinion that a school's focus should be on educating and helping students rather than punishing them. In this vein, one adult participant offered a suggestion to allow law enforcement to share information with a social worker who is bound by confidentiality rather than a school administrator. This suggestion was generally supported with the shared perspective that a social worker would emphasize the student's rehabilitation and treatment while a school administrator might emphasize punishment to protect the school's image.

Participants debated the issue of whether the behavior of one student affects the image or climate of an entire school. While some participants claimed that a school's image should be judged in academic terms and what students do while in school, others argued that student behavior outside

of school can affect the community in which the school is a part of and thus reflect negatively on the school itself.

When asked by LYAC members whether students involved in co-curricular activities other than athletics should be held to the same behavioral standards, most participants agreed. Many participants expressed that co-curricular activities are what motivate many students to do well in school. In this vein, co-curricular contracts are perceived to be somewhat effective in preventing illegal behavior outside of school. Though, it was a general consensus among participants that co-curricular contracts are often unfairly enforced.

After 35 minutes of discussion, facilitators concluded the meeting with an explanation of what LYAC plans to do with the information participants provided, including the development of policy recommendations at the next LYAC meeting, and providing recommendations in LYAC's biennial report to the Legislature.

3. LYAC Survey of Conference Participants
Recognizing the value of having the attention of a large audience of Maine youth, LYAC chose to conduct a one-page survey administered to all conference attendees. The goal of the survey was to collect information from conference participants to provide LYAC with a sense of the level of awareness that a relatively informed youth have about LYAC, how LYAC can improve and maintain communication with its youth constituency, and what bill proposals youth think LYAC should focus on next year.

Every conference participant received a LYAC survey along with other important conference materials at registration. The survey was introduced to conference participants during the LYAC keynote presentation. Participants were asked to take a couple of minutes after the keynote to complete the survey and return it to a LYAC member. A total of 282 completed surveys were collected. An analysis of survey results will be described in LYAC's biennial report to the Legislature in December.

4. Adjournment. The meeting was adjourned at 12:15 p.m. After the meeting, LYAC members re-grouped and agreed to discuss among each other several policy recommendations they had in mind as a result of this meeting and bring them in writing to the November 28th LYAC meeting for discussion with the full Council.

Draft Meeting Summary for November 28th, 2007

Wednesday, November 28th, 2007
10:00 a.m. to 3:00 p.m.
Room 427, State House
Augusta, Maine

Youth Members and Legislative Members Present: Rep. David Farrington, Gorham; Sen. Joseph Perry, Bangor; Benjamin Goodman, Kennebunk; Ian Engdahl, Winthrop; Will Colan, Readfield; Meg Richardson, Kents Hill; Mary Beth Moyer, Lewiston; Dave O'Heir, Waterville; Maureen Quinn, Portland; Zoë Baker, Kennebunk;

Youth Members and Legislative Members Absent: Rep. Roberta Muse, Fryeburg; Sen. Paula Benoit, Phippsburg; Hannah Lennett, Litchfield; Alex Cornell du Houx, Brunswick; Grace Wright, Brunswick; Hannah Stein, Portland; Brandon Mazer, Brunswick; Claire Howard, South Portland; Heather Pratt, Chelsea.

Staff and Others Present: David Stockford, Maine Children's Cabinet Senior Staff and Director of Special Services; Shelly Reed, Patrick Norton, Director, Office of Policy and Legal Analysis; Brenna Byrne, Legislative Researcher, Office of Policy and Legal Analysis.

1. Meeting Called to Order, Approval of August 8th Meeting Summary, Review of Agenda

Meeting called to order

LYAC Chair Representative David Farrington convened the fourth meeting of the Legislative Youth Advisory Council by requesting introductions from members and guests.

Approval of October 25th and November 16th/ 17th Meeting Summaries

Council members briefly reviewed the last two draft meeting summaries provided in their meeting packets. Representative Farrington called for a motion to simultaneously approve the October 25th and November 16th/17th meeting summaries.

Motion: Mary Beth motioned and Will Colan seconded her motion to approve the meeting summaries.

Vote: The Council voted unanimously in favor of approving the two meeting summaries as submitted by staff.

Report from LYAC members who attended the 24th Annual Peer Leadership Conference

Representative Farrington asked members of LYAC who attended the 24th Annual Peer Leadership Conference in Bar Harbor to update the Council on what was learned. Co-Chair Ben Goodman volunteered a summary of LYAC's performance and the feedback they received during the Saturday workshop pertaining to LD 1254. Ben also spoke of the networking that took place among LYAC members and other individuals and youth groups who attended the conference.

2. Step-by-step review of 2007 LYAC Draft Biennial Report

The primary objective of this meeting was to review a first draft of the 2007 LYAC Biennial report, which is due in December. The draft report as prepared by staff contains discussions, findings and recommendations pertaining to several issues the Council has been working on throughout the year. Each Council member had a copy of the draft in front of them and Patrick Norton walked Council members through the draft with the goal of making sure it reflects the Council's voice and to come away from the meeting with amendments that reflect any additional issues, findings and recommendations Council members propose.

The draft report is organized into the following 5 issues:

Issue 1: Youth representation on the State Board of Education
Issue 2: School codes of conduct and co-curricular contracts
Issue 3: Maine Center for Disease Control student survey
Issue 4: Upcoming bills affecting youth
Issue 5: Organization and effectiveness of LYAC

For each issue, Council members reviewed the discussions, findings and recommendations as drafted in the report. This generated additional discussion and in some cases, additional findings and recommendations.

Issue 1
The draft report included findings and recommendations made by the Council in its letter to the State Board regarding selection criteria for youth members. In reviewing this issue, two additional recommendations were generated through comments shared by Council who attended the State Board's Youth Forum in Lewiston. The first relates to the statutory criteria for student representation, which the Council believes, inadvertently excludes many students from ever being eligible for consideration at any time during their High School career. The Council agreed that it would like to recommend in their report that the Joint Standing Committee on Education and Cultural affairs amend the laws to correct this oversight. The second recommendation the Council wanted addressed in the report was to allow the selected student members to serve as voting members on the Board.

Issue 2
Through a lengthy discussion building on three possible recommendations to the Joint Standing Committee on Education and Cultural Affairs regarding LD 1254 drafted in the report, Council members agreed on modified versions of the recommendations as drafted. These include unanimous support of the Education Committee's ought-not-to-pass vote on LD 1254; specific conditions under which the Council believes juvenile records should be shared with trained school officials for the purpose of treating and rehabilitating a student; and directing the Department of Education to adopt major substantive rules identifying elements for inclusion in a student co-curricular contract for optional use by schools. The Council unanimously agreed that the language of its findings and recommendations regarding LD 1254 should reflect the Council's primary concern of protecting the students' health, learning environment, and right to due process and confidentiality.

Council members spent some time discussing a suggestion raised by a participant at the public hearing workshop LYAC held at the 24th Annual Peer Leadership Conference in Bar Harbor. The suggestion was to allow law enforcement to share police records with a school social worker who is bound by confidentiality. Though the Council strongly supported this suggestion's merit, it was found to be problematic in that many schools in Maine do not have school personnel who would qualify as a certified social worker. In addition, the Council strongly supports the protection of a student's right to due process as granted by the Maine Juvenile Code and did not want to recommend legislation that would, in any way, conflict with such protections.

After a lengthy discussion, the Council agreed that it would recommend in its 2007 report that if the Legislature ever considers amending the Juvenile Code to allow more information sharing about juvenile investigations between law enforcement and school, that the only purpose for such information sharing be to allow appropriately trained persons in the school to confidentially help the student obtain whatever behavioral or substance abuse support or rehabilitation is needed. In addition the Council wanted to make clear the following conditions under which it would recommend the sharing of such information with schools:

- With the consent of the student;
- With an appropriately trained social worker or counselor in the school;
- When that person is required to keep such information confidential from others, including others in the school; and
- For the purpose of helping, not disciplining, the student.

Council members felt it important to also address the issues of inconsistency with which co-curricular contracts are enforced across schools and agreed to recommend that the Legislature direct the Department of Education to adopt major substantive rules specifying the minimum elements that must be included in any co-curricular "honor contract", for optional use by schools. The Council also agreed to recommend those minimum elements include, but not be limited to, the types of behavior covered by the contract, the extent to which the contracts cover behavior of students while off school grounds and not engaged in school sponsored activity, provisions to ensure that the contract will be enforced consistently and fairly among all students and the standards to be used by the school to determine whether or not a student has violated the co-curricular contract.

Issue 3

The Council reviewed and accepted as drafted, a recommendation for the Maine CDC to continue its efforts to improve the focus and administrative efficiency of its statewide survey of high risk behavior among youth and to continue to its efforts to include youth input into the development of the survey instrument.

Issue 4

As the basis for draft Council recommendations on the issue of up-coming bills that affect youth, Patrick Norton reviewed the results of LYAC's survey of youth who attended the 24th Annual Peer Leadership Conference. Survey results indicated youth support for several bills to be considered by the Legislature during the Second Regular session of the 123rd Legislature. Respondents were asked to rank, in order of importance, the following four upcoming bills:

- An Act to Improve School Nutrition
- An Act to Protect Children from Second Hand Smoke
- An Act Requiring Teaching of Mental Health Awareness in Maine's Middle Schools
- An Act to Protect Student Athletes

Survey results revealed that none of the four bills identified above were considered unimportant to youth, however, the two most important to respondents were An Act to Improve School Nutrition and An Act to Protect Children from Second Hand Smoke. The Council accepted, as

drafted a recommendation for LYAC to follow all four bills during the Second Regular Session and agreed to provide testimony, as necessary, to the joint standing committee having jurisdiction over these bills.

Issue 5

The survey of youth attending the 24th Annual Peer Leadership Conference also asked respondents whether or not they were aware of LYAC prior to attending the conference, what ways LYAC could successfully raise awareness about itself among Maine's youth and what ways LYAC could improve and maintain communication with its youth constituency. Patrick reviewed the results of these survey questions, which were very informative for the Council's consideration of the effectiveness and organization of LYAC. Results revealed low levels of awareness about LYAC among conference participants. With respect to successful ways of raising awareness, results indicate a preference of a local LYAC presence through visiting schools and posting flyers as well as electronic communication such as creating a "MySpace" or "Facebook" presence. Lastly, results revealed email as the most likely way youth would contact LYAC with an issue or concern they wanted addressed by the Legislature.

The Council agreed that the survey results support the notion that with some change in the way it does business, LYAC could be more effective both in its role as an advisory body within the Legislature and in communicating with its youth constituency.

Prior to this meeting, Council members were asked to bring recommendation proposals in writing. One such proposal was for LYAC to be authorized to meet more often. Patrick informed Council members that this recommendation would require a fiscal note as well as additional staffing resources, which are currently limited. Ben Goodman asked for clarification regarding LYAC's authority to seek outside funding, which Patrick explained is still allowed under current laws with approval from the Legislative Council.

The Council spent some time brainstorming ways to increase LYAC's visibility and awareness through ways that don't require additional costs. Council members also discussed the challenges associated with compliance with Freedom of Access laws and electronic communication. After a lengthy discussion, Council members agreed that it would address outreach issues in its strategy for 2008. The Council also agreed to recommend in its 2007 report allowing LYAC to meet more often to the extent outside funding is available and approved for those meetings in addition to the 6 LYAC is currently authorized to meet. In making this recommendation, the Council recognized its attendance problem and agreed to address this in 2008.

Lastly, the Council identified a timing issue created by the Annual Peer Leadership Conference and LYAC's report deadline, which are only two weeks apart. The Council agreed that it would like to continue participating at the Conference and in the interest of allowing more time for the development of post-conference findings and recommendations should recommend, in its report, a statutory change in LYAC's report deadline from December 1st to a date in early February.

Additional Issues

An additional issue arose for discussion among Council members about proposing a recommendation in the report to lower the voter pre-registration age to 16-year. This proposal,

initiated by Ben Goodman, evolved from discussions he had with participants at the Youth Policy Institute Conference in Minneapolis and focuses on making voter registration more available to young people. Council members viewed this proposed recommendation as a way to alleviate problems associated with college student voting, by increasing the likelihood that college students would vote by absentee. Others stated that it would avoid the heated debate regarding same-day voting that is often part of proposed changes in voting laws. Generally, Council members view this proposal as a tool for building a sense of civic responsibility among youth and see no harm in making the recommendation.

In addition to lowing the voter registration age to 16, the Council discussed recommending that if this were enacted, the Secretary of State should undertake an educational program to ensure that youth and municipal registrars are aware of the change. Cost issues were recognized as a potential barrier to these recommendations. There was also some disagreement among Council members about whether or not lowing the age would make a difference in the number of young people who actually vote. The Council discussed various ways of connecting pre-voter registration with the process of getting driver's licenses, as is the case in Florida. Council members were also made aware of one other state, Hawaii, whose laws allow voter-registration at 16 years old.

Motion: After a lengthy discussion, Rep. Farrington asked for a motion to vote on whether or not the Council wanted to recommend lowering the voting registration age to 16 and direct the Secretary of State to publicize this change in the law. Will Colan motioned for this vote and Mary Beth Moyer seconded his motion.

Vote: Council members present voting in favor of recommending that the laws be amended to lower the voting registration age to 16 and to direct the Secretary of State to publicize this change in the law include: Maureen Quinn, Meg Richardson, Will Colan, Mary Beth Moyer, Ben Goodman, Rep. Farrington, Sen. Perry, Zoe Baker, and Dave O'Heir. Council members present voting in opposition to this recommendation include: Ian Engdahl.

3. Other LYAC Business

The Council scheduled its first meeting of 2008 for Tuesday January 29th, 10 a.m. to 3 p.m. The focus of this meeting will be to prioritize what LYAC will do during the Second Regular Session including getting input from the sponsors of bills it will be following and a thorough review of the legislation LYAC proposed.

Patrick told the Council he would have an updated draft report for the Council's final review in the mail by the middle of next week.

Adjournment: Representative Farrington adjourned this meeting at 3:00 p.m.

APPENDIX D

Public Law 2007, Chapter 200
(LD 151, An Act to Include Student Representation on the State Board of Education)

An Act To Include Student Representation on the State Board of Education

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

Sec. 1. 20-A MRSA §401, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Appointment. The state board ~~shall consist~~consists of 9 members ~~who shall be~~and, beginning in the 2007-2008 school year, 2 nonvoting student members, one junior and one senior in high school. All members are appointed by the Governor. One of the student members must reside in the State's First Congressional District at the time of appointment and one must reside in the State's Second Congressional District at the time of appointment. Each appointment ~~shall be~~is subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Legislature.

Sec. 2. 20-A MRSA §401, sub-§1-A is enacted to read:

1-A. Nomination of student members. Each student member of the state board serves for a term of 2 years, except that the senior appointed in the 2007-2008 school year serves for one year. A junior in high school must be added each year to the state board to serve a term of 2 years.

A. The state board shall notify every public high school principal by March 15th of the year in which applications are being accepted for the student member's position.

B. Applications for the student member's position must be submitted to the state board no later than April 15th of the year in which applications are being accepted.

C. A screening committee of the state board shall select 6 semifinalists for the student member's position.

D. The state board shall, by May 1st of the year in which applications are being accepted, select 3 finalists for the Governor's consideration and shall rank the finalists according to its preference.

Sec. 3. 20-A MRSA §401, sub-§1-B is enacted to read:

1-B. Term of student member. Notwithstanding subsection 4, the term of office of the student member of the state board is 2 years.

Sec. 4. 20-A MRSA §401, sub-§1-C is enacted to read:

1-C. Qualifications for service as student member. At the time a student member of the state board's term commences, the student must:

A. Be enrolled in good standing in a public high school in the State;

B. Have completed 10th grade prior to the commencement of the term;

C. Provide at least 3 references from teachers in the school that the student attends; and

D. Meet other criteria established by the state board in consultation with students in the State.

APPENDIX E

Letter from the State Board of Education requesting LYAC's input on criteria for youth member selection

John Elias Baldacci
Governor

STATE BOARD OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023
TEL: (207) 624-6616

July 6, 2007

Honorable David Farrington
Legislative Youth Advisory Council
215 Cross State Office Building
Augusta, ME 04333

Dear Mr. Farrington:

Imagine with me for a moment. Imagine a future Maine that has an active Legislative Youth Advisory Committee that regularly reports to the legislature on its public policy agenda, a mock government program that engages students across Maine, acquainting young people with the judicial process. Imagine also two students on the State Board of Education, students sitting on local boards of education or school committees as well as an annual conference opportunity for students to express their opinions on educational policy issues. This vision and more can become a reality only with your input and help. I am writing to ask you to become part of an initiative to achieve greater student voices in public policy in Maine and hopefully to help these visions come true. It is a very exciting prospect, critical in many ways to the future of our democratic institutions in the State of Maine.

On **August 14, 2007, at 9:30 a.m**. we will convene a conference of young people in Maine at **Bates College in the Muskie Building** to begin this work. All invited students have been either recommended by a teacher, principal or superintendent and/or have contacted the State Board directly. I sincerely hope you can free up some time to participate in this important meeting.

The conference will address two basic questions:

1. ***What should the criteria be for the selection of student members to serve on the State Board of Education?***

2. ***What should the structure of student engagement look like to ensure that student voices influence public policy in Maine?***

This is an aggressive, but attainable agenda. We are confident students can make a significant start on these questions at the August 14th conference. Please join us. You can make a difference and move Maine to #1 in the nation in youth involvement in civic engagement. I believe the youth of Maine are up to this challenge.

Please confirm your attendance to **Rhonda Casey**, secretary for the State Board of Education by **Friday, August 10**. You can contact her either by email at rhonda.casey@maine.gov or by telephone at (207) 624-6616. This gathering includes lunch and as soon as you let Rhonda know you will be attending, directions to the site and a more detailed agenda will be provided.

Sincerely,
James W. Carignan, Chair
Maine State Board of Education
/cc: Brenna Byrne

APPENDIX F

LYAC recommendations to the State Board of Education on criteria for youth member selection

Legislative Youth Advisory Council

Established in 2002 • Codified at 3 MRSA, §168-A

Youth Members
Benjamin Goodman, Co-chair
Will Colan
Alex Cornell du Houx
Ian Engdahl
Claire Howard
Hannah Lennett
Brandon Mazer
Mary Beth Moyer
David O'Heir
Heather Pratt
Margaret Richardson
Hannah Stein
Grace Wright

Legislative Members
Rep. David Farrington, Co-chair
Rep. Roberta Muse
Sen. Joseph Perry
Sen. Paula Benoit
Staff
Patrick Norton
Brenna S. Byrne
Maine State Legislature
Office of Policy & Legal Analysis
13 State House Station
Augusta, ME 04333
Phone: (207) 287-1670
Maine Relay Services: 1-800-437-1220

E-mail: Patrick.Norton@legislature.maine.gov
URL: http://www.maine.gov/legis/opla/legyouth.htm

August 9th, 2007

Dear Mr. Carignan,

On behalf of the Legislative Youth Advisory Council (LYAC), we would like to thank you for taking the time to meet with us to discuss the Board's challenge in developing the criteria and process for selecting youth members to serve on the State Board of Education. In acceptance of your invitation to contribute towards this challenge, we are enthusiastic about sending several Council members and one staff member to attend your conference next week and to share the following thoughts and suggestions for the Board's consideration.

Flexibility in the application process. The Legislative Youth Advisory Council strongly encourages the Board to build flexibility into the application process to avoid the inadvertent exclusion of highly qualified candidates who may not meet a set of fixed criteria. While the Council recognizes the selected candidates must ultimately meet high standards, we suggest using the criteria as guidelines rather than strict standards would allow more flexibility in the selection process.

Qualities of the selected candidate. The Council believes that the selected candidates should demonstrate the following qualities:

- Experience in community service;
- Strong leadership skills and independent student voice;
- Understanding of the commitment level and ability to prioritize; and
- Dedication to the responsibilities of the State Board

The Council further suggests that the teacher references, as required by 20-A MRSA §401, sub-§1-C, provide specific examples of how the candidate has demonstrated the above qualities.

Require personal written statement. The Council strongly encourages the Board to consider requiring applicants to submit, in addition to the three required teacher references, a written personal statement describing his/her willingness, dedication and qualifications to take on the challenges of the appointment. The Council further suggests that the Board provide applicants with specific instructions for writing the personal statement based on the qualities and characteristics it seeks in a candidate.

Optional peer and community member recommendations. The Council also encourages the Board to consider providing applicants with the option to submit a recommendation from a peer or member of the community as part of his/her application. The Council recognizes the reality of peers having knowledge about a candidate's character and qualifications that adults may lack. In the same vein the Council recognizes that teachers may not be the only adults with valuable and applicable information to share about a candidate's experience and qualifications. We encourage the Board to allow for such information to be considered when applicable.

Minimum GPA requirement. The Council did not reach consensus on the issue of requiring a minimum GPA. Some Council members believe that GPA is a good indicator of a student's work ethic and dedication to high quality work and should be considered. Other members believe that GPA does not fully reflect a student's level of effort or dedication to hard work and requiring a minimum GPA may exclude candidates with outstanding qualities in other relevant areas of expertise. Council members caution against comparing GPA across students as they are typically enrolled in courses with varying levels of difficulty. Members who do not support the use of a minimum GPA requirement felt that the statutory requirement of being "enrolled in good standing in a public high school in the State" (20-A MRSA §401, sub-§1-C) is sufficient to satisfy academic qualifications of the selected candidate.

The Legislative Youth Advisory Council is grateful for this opportunity to contribute towards what we view as an integral part of Maine's public policy process. We look forward to sharing these thoughts and suggestions at the conference.

Sincerely,

David Farrington BB.

Representative David Farrington
Legislative Co-Chair

Benjamin Goodman BB.

Benjamin Goodman
Youth Co-Chair

cc: Members, Legislative Youth Advisory Council
Rhonda Casey, Secretary of the State Board of Education

APPENDIX G

Summary report of State Board of Education Youth Forum

Maine State Legislature
Office of Policy and Legal Analysis

MEMORANDUM

August 21, 2007

To: Members, Legislative Youth Advisory Council
From: Brenna Byrne, Legislative Researcher, OPLA
Re: State Board of Education Youth Forum: Summary Report to the Legislative Youth Advisory Council

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I am pleased to report the following summary of the Maine State Board of Education's youth forum held last Tuesday August 14 at Bates College in Lewiston.

Date: Tuesday August 14th, 2007
Location: Muskie Archives Building, Bates College, Lewiston Maine

Legislative Youth Advisory Council Members and Staff Present: Meg Richardson, Kents Hill; Will Colan, Waterville; Mary Beth Moyer, Lewiston; Hannah Lennett, Litchfield; Brenna Byrne, Staff.

Hosted by the Maine State Board of Education and facilitated by the Maine Youth Action Network, this youth forum engaged 25 high school students from around the state to voice their perspectives and opinions on two key aspects of Maine's education policy infrastructure. From representatives of student governments and other student bodies, members of the Legislative Youth Advisory Council to interested youth citizens, a wide spectrum of Maine's youth voices were heard.

After brief introductions and several ice breaker activities participants quickly dove into the first matter at hand:

What should the criteria be for the selection of student members to serve on the State Board of Education?

After a review of the recently enacted legislation that set this forum in motion (20-A MRSA §401) and a brief overview of the role and responsibilities of the State Board of Education, participants were asked to brainstorm, discuss and identify, through small group discussions, the criteria they believe selected student members of the State Board should meet. Participants also addressed concerns about the existing criteria already set in statute and offered suggestions about how the State Board might implement a process for recruiting potential candidates.

The four members of the Legislative Youth Advisory Council present split up to participate in each of four small discussion groups. Each group reported back to the larger audience their thoughts and recommendations for consideration by the State Board of Education, who met Wednesday August 15th to decide on the specific criteria to be used to select its youth members and how to implement the selection process. From these small group discussions emerged the following recommendations:

- Allow applicants to submit a personal statement that, in their own words, speaks to what they feel they will bring to the position and why they believe they are qualified;
- At the interview phase of selection, impress upon candidates the level of commitment expected and required of the position;
- When applicable, allow candidates the option of submitting a non-teacher reference, or reference from a knowledgeable adult outside of the school setting (i.e. members of the community, employers);
- Ensure that the pool of potential candidates to be considered equally represent schools across the state;
- Require teacher references to speak to candidates' demonstration of the following qualities;
    - Leadership skills;
    - Community service experience;
    - Commitment and dedication to the State Board's mission;
    - Time management skills;
    - Interest /experience within the education policy arena;
    - A strong, independent student voice;
    - Active involvement in their school and/or community.

In general, participants were not in support of requiring a minimum GPA but were in agreement that the selected candidates should maintain passing grades. Many participants were also concerned about the staggered nature of the selection process already set in statue with only one senior from one congressional district one and one junior from the other congressional. Participants saw an inequity in the fact that students who graduate in an odd year and who reside in the district from which a junior was selected will be excluded because their State Board representative will have been chosen the previous year. Likewise, students who graduate in an even year and who reside in the district from which a senior was selected will be excluded for the same reason.

Just before lunch, Jim Carignan, Chair of the Maine State Board of Education challenged participants to consider the pros and cons of selecting youth members to begin serving on the Board as early as September as opposed to waiting until January when the full Legislature is in session. After some discussion, a majority of participants felt that the sooner the Board could select its youth members and begin its work, the better.

After lunch, the second matter of the day was addressed using the same format with participants choosing to remain in the same groups formed for the first discussion on criteria. In the

afternoon work session, participants were asked to brainstorm and respond to the following question:

What should the structure of student engagement look like to ensure that student voices influence public policy in Maine?

A much broader topic of discussion, this resulted in a mosaic of ideas, thoughts, and suggestions for State Board and other State policy makers to consider. Though a range of diverse perspectives were shared, the following commonalities emerged from small group reports to the larger audience:

- Student representation should exist at all levels of policy decision-making (i.e. school, district, state);
- Elected officials should regularly come into direct contact with the youth they represent;
- Engage more youth to be involved in Maine's public policy process;
- Increase visibility of and communication among existing youth groups such as MYAN and LYAC, who are engaged in public policy issues;
- Student members of policy decision-making bodies should eventually have the same rights and status as their adult counterparts (i.e. the right to vote);
- Increase awareness and "spread the word" among Maine's youth about civic engagement opportunities around the state;
- Increase youth representation in the State Legislature (i.e. beyond LYAC);

To wrap things up, participants had an opportunity to vocalize their appreciation for various aspects of the event, the discussions, and the contributions of participants. There was a general sense of accomplishment and sentiments of appreciation for the opportunity to be involved with the event were echoed by many participants. Participants spoke to the fact that they felt as though their voices were heard and the resulting messages will make a difference.

Jim closed the forum with the promise that the State Board would follow up with participants about its decision on these matters. Email contact information was collected from participants interested in learning more about the Legislative Youth Advisory Council.

APPENDIX H

State Board of Education Youth Member application

Maine State Board of Education
Youth Initiative Application Form
2007-2008

Full Name:
Contact Information (email/phone/mailing address):
High School Name and Contact Information:
Grade you are currently in
Congressional District you are from *(Please circle):* **District One** **District Two**

Please submit:

1. Three teacher and one personal recommendation.

2. A resume or a list of your skills.

3. A short essay (one page double space) that describes a recent activity or project in which you demonstrated leadership qualities. Some leadership qualities to consider discussing are listed below.

- Diligence
- Dedication
- Gregariousness
- Zest for public service/passion
- Commitment
- Ability to manage time
- Open-mindedness
- Articulateness
- Problem-solving abilities
- Analytical skills

4. A list of your extra curricular activities and your current academic interests including any specific comments on your interests or experiences related to public/community service.

Please submit a completed application by **November 9th** to :

Rhonda Casey
Maine State Board of Education
23 State House Station
Augusta, ME 04333-0023

Please email Ms. Casey if you have questions about this application at **Rhonda.Casey@maine.gov.**

This initiative is a partnership between the Maine State Board of Education and the Maine Youth Action Network (MYAN) a program of PROP's Youth Resiliency Project.

APPENDIX I

LD 1254, An Act to Modify the Student Code of Conduct

An Act To Modify the Student Code of Conduct

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

Sec. 1. 20-A MRSA §1001, sub-§15, ¶G, as amended by PL 2005, c. 307, §2, is further amended to read:

G. Establish guidelines and criteria concerning the appropriate circumstances when the superintendent or the superintendent's designee may provide information to the local police or other appropriate law enforcement authorities regarding an offense that involves violence committed by any person on school grounds or other school property; ~~and~~

Sec. 2. 20-A MRSA §1001, sub-§15, ¶H, as enacted by PL 2005, c. 307, §3, is amended to read:

H. Establish policies and procedures to address bullying, harassment and sexual harassment~~.~~; and

Sec. 3. 20-A MRSA §1001, sub-§15, ¶I is enacted to read:

I. Establish policies and procedures to limit student participation in cocurricular activities for behavior that is unlawful.

Sec. 4. Development of language for student codes of conduct. To facilitate the implementation by school boards of the requirements of the Maine Revised Statutes, Title 20-A, section 1001, subsection 15, paragraph I, the Department of Education shall develop language designed to provide school units with the legal basis for controlling student participation in cocurricular activities for behavior that is unlawful. After developing the language, the department shall make the language available to school boards throughout the State.

SUMMARY

This bill requires that the student code of conduct be modified to provide school units the legal basis for controlling student participation in cocurricular activities for behavior that is unlawful, and requires the Department of Education to develop language designed to accomplish this goal and make the language available to school boards.

APPENDIX J

Sponsor's Amendment to LD 1254, An Act to Modify the Student Code of Conduct

LD 1254 presented 3-22-07 @ P.H. by Sponsor

"An Act To Promote Enforcement of the Student Code of Conduct"

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

Sec. 1. 15 M.R.S.A. § 3301, sub-1 is amended to read:

1. **Sharing information.** Nothing in this Part precludes a law enforcement officer or criminal justice agency from sharing information with a school superintendent or principal, whether or not the information is contained in records, pertaining to a juvenile when the information is credible:

   A. and indicates an imminent danger to the safety of students or school personnel on school grounds or at a school function, or

   B. when the information may be used by school personnel to enforce the student code of conduct adopted pursuant to Title 20-A, section 1001, subsection 15.

The superintendent or principal may disseminate this information only to the extent necessary to protect students and school personnel and as governed by subsection 2, and to enforce the student code of conduct.

SUMMARY

This bill authorizes law enforcement officers and criminal justice agencies to share information with a school superintendent or principal concerning a juvenile investigation when the information is relevant to a violation of the school's code of conduct.

replaces LD

APPENDIX K

Letter from the Joint Standing Committee on Education and Cultural Affairs requesting LYAC's review of LD 1254

SENATE

PETER B. BOWMAN, DISTRICT 1, CHAIR
ELIZABETH H. MITCHELL, DISTRICT 24
PETER MILLS, DISTRICT 26

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
DAVID DESJARDINS, COMMITTEE CLERK

HOUSE

JACQUELINE R. NORTON, BANGOR, CHAIR
EDWARD D. FINCH, FAIRFIELD
ELAINE MAKAS, LEWISTON
DAVID W. FARRINGTON, GORHAM
CHARLES WILLIAM HARLOW, PORTLAND
PATRICIA B. SUTHERLAND, CHAPMAN
PETER EDGECOMB, CARIBOU
HOWARD E. MCFADDEN, DENNYSVILLE
ROBERTA M. MUSE, FRYBURG
MEREDITH N. STRANG BURGESS, CUMBERLAND

STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

MEMORANDUM

TO: Representative David Farrington, Legislative Chair, Legislative Youth Advisory Council

FROM: Senator Peter Bowman, Senate Chair; and
Representative Jacqueline R. Norton, House Chair
Joint Standing Committee on Education and Cultural Affairs

SUBJ: Request that the LYAC Review LD 1254, An Act to Modify the Student Code of Conduct

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We are writing on behalf of the Joint Standing Committee on Education and Cultural Affairs to request that the Legislative Youth Advisory Council review the issues raised by LD 1254, *An Act to Modify the Student Code of Conduct*. As you know, the intent of the bill was to allow law enforcement agencies to more readily share information regarding juvenile offenses with a school superintendent or principal. The express purpose of the sharing was to facilitate enforcement of a school's code of conduct. A copy of LD 1254 is attached.

Considerable testimony was received both in support and in opposition to this bill. Ultimately the committee voted "Ought Not to Pass" on LD 1254, but we would like to revisit this issue during the second session. We are asking the Department of Education to review current laws pertaining to the sharing of information on juvenile offenses and alleged offenses. The department is being asked to make recommendations to simplify and possibly broaden the circumstances under which law enforcement personnel can provide information to the schools and clarify how that information may be shared and used within the school. The Department of Education is being asked to include representatives of the Maine School Management Association and the Juvenile Justice Advisory Group in its discussions and development of recommendations.

We believe that the LYAC could make a significant contribution to further discussions on how illegal activities outside of school affect the school community as a whole and what responses are appropriate and meaningful to juvenile perpetrators. Jill Ippoliti, the committee analyst assigned to this bill, is prepared to provide you with

100 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0100 TELEPHONE 207-287-3125

copies of testimony and notes from our discussions and a brief legislative history of current provisions of law that restrict information sharing.

You may also want to solicit comments from various interested parties who appeared before the Joint Standing Committee on Education and Cultural Affairs at the public hearing and during the work sessions on this bill.

Thank you for your consideration of this request. We look forward to reading LYAC's biennial report this coming December, and we hope that the Youth Council can include some recommendations on these issues in that report.

cc: Patrick Norton, Director of OPLA
Jill Ippoliti, Legislative Analyst, OPLA

APPENDIX L

Letter from the Maine Center for Disease Control

John Elias Baldacci
Governor

Maine Department of Health and Human Services

Maine Center for Disease Control and Prevention
(Maine CDC)
286 Water Street
11 State House Station
Augusta, ME 04333-0011

Brenda M. Harvey
Commissioner

Dora Anne Mills, MD, MPH
Public Health Director
Maine CDC Director

July 16, 2007

Dear LYAC members:

Several years ago you spent some time considering the issues around surveys in the school, specifically the Maine Youth Drug and Alcohol Survey. Collecting student health behavior data and monitoring and reporting trends are important roles for schools and state agencies. The data is used for improving health knowledge and skills, physical and behavioral health status, and program delivery in schools. Many state agencies and schools use the data for grant and other applications. However, as you noted, the demands for data, evaluation and accountability puts a burden on schools and multiple surveys increase the potential for ineffective use of the survey data. These concerns have been shared by school staff and state agency staff. It prompted the formation of an inter-agency student health survey committee, which is developing a new approach to student health surveys.

Over the last two years, this committee has been actively working together to examine the content of the surveys we support, and streamline them into a single survey. The committee consists of representatives from the agencies and programs that currently fund and administrate student health surveys. Current participants include the Maine Department of Education, the Office of Substance Abuse, the Partnership for a Tobacco-free Maine, other Maine Center for Disease Control and Prevention programs, University of Southern Maine epidemiologists, Maine Marks staff, Communities for Children and Youth, and the Maine Department of Labor. Many of these agencies depend on student health data for program planning and evaluation.

The desired outcome from this effort is a coordinated state and local survey process for collecting anonymous data from students on their health behaviors, and related risk factors and assets. Selected questions from the Maine Youth Risk Behavior Survey (YRBS), Maine Youth Drug and Alcohol Use Survey (MYDAUS), Youth Tobacco Survey (YTS) and Search Institute's Youth Behaviors and Assets Survey will be included in an integrated survey. The current timeline for the first implementation of the Maine Integrated Youth Health Survey is the spring of 2009, replacing the 2009 YRBS, and eliminating administrations of a separate MYDAUS/YTS after February of 2008.

The anticipated benefits for schools and students include:

- Reduced the burden that multiple surveys impose on schools and students,
- Increased predictability of requests from state agencies,
- Less duplication of data collection, and
- A wider range of local data on youth behaviors, risk factors and assets.

The process to date has been based on shared commitments, including:

- To ensure that anonymous student participation is voluntary for both parents and students.To shorten survey instruments for each individual respondent to minimize the use of classroom time and increase data accuracy. Careful attention will be paid to making the survey accessible to students with lower reading abilities. A separate, shorter version of the survey will be developed for middle schools.
- To coordinate requests from state agencies for student time by requesting participation in only one survey every two years.
- To assist LEA's and communities in leveraging state and federal funding to improve health and education of Maine youth.
- To include a variety of stakeholders in the development process.

While the final design of the survey has not yet been determined, it is anticipated that there will be a set of core questions that all students will be asked. Data on these questions will be made available to participating schools at the school level, as long as there are enough responses to maintain anonymity.

In order to gather additional data points at the state level, multiple versions of the survey will be created with different questions. These questions will be not be available for local level use, since not all students at each school will be asked them. The design will include flexibility to address changing environments and data needs of state and local agencies. Protocols will be developed to ensure that data collected are credible and reliable. Training and support on methods to share the data with community stakeholders will also be provided.

Input from those outside state agencies is important to this process, and several opportunities to provide input will be offered. Committee members are committed to including youth in this process, and we believe that LYAC is one very important group to get input from. For this reason, we would like to spend some time with you to present more information on the survey and gather your input on it. We will also be happy to share the draft survey with you when it is created.

This is a challenging process and your support in improving our student data collection is appreciated.

Sincerely,

Nancy Birkhimer
Director, Teen and Young Adult Health Program
286 Water St., 5th floor
11 State House Station
Augusta, ME 04333-0011

APPENDIX M

LYAC survey instrument

LEGISLATIVE YOUTH ADVISORY COUNCIL (LYAC) SURVEY

As the Legislative Youth Advisory Council (LYAC), it is our duty to give advice to the Legislature on issues that are important to Maine's youth. In order to fulfill our duty, we need your input. Please take a few minutes to complete this 4-question survey. Your answers are anonymous and will help us better understand how to serve Maine's youth.

1) Prior to this conference, had you ever heard of the Legislative Youth Advisory Council (LYAC)? *(Circle one response)*

YES NO

2) How do you think we could most successfully raise awareness about LYAC? *(Circle one response)*

A. Post flyers about LYAC at schools
B. Provide more information about LYAC on the MYAN website
C. Hold an annual public meeting/conference about LYAC
D. Create a MySpace, Facebook presence
E. Other _____

3) How are you most likely to contact LYAC about an issue/concern you want brought to the Maine Legislature? *(Circle all that apply)*

A. Call a LYAC member and speak directly
B. Send a text message to a LYAC member
C. Email a LYAC member
D. Attend a LYAC meeting (in Augusta)
E. Write a letter to LYAC
F. I would not contact LYAC

4) The Maine Legislature will consider the following 4 bills, among many others, next year which, if passed may effect the lives of young people in Maine. Please help LYAC prioritize these bills by ranking them in order of importance. *Write one number from the scale below in each box next to the bill title. BE CAREFUL NOT TO USE THE SAME NUMBER TWICE; there should be one ranking for each bill.*

1 2 3 4
Scale: Least Important ---------|----------|----------Most Important

Rank	Bill Title (description)
	(A) An Act to Improve School Nutrition (would require the Department of Education to adopt new school nutrition standards)
	(B) An Act to Require Teaching of Mental Health Awareness in Maine's Middle Schools (would require the Department of Education to incorporate mental health awareness into required middle school curriculum)
	(C) An Act to Protect Student Athletes (would require student safety training for extracurricular activities)
	(D) An Act to Protect Children from Second Hand Smoke (would make smoking in cars with children illegal)

Thank you for completing this survey! Please return it to a LYAC member.

11/13/2007

APPENDIX N

Florida and Hawaii laws allowing voter "pre-registration" by 16 year olds

FLORIDA LAW REGARDING YOUTH VOTER "PRE-REGISTRATION

CHAPTER 2007-30
Council Substitute for House Bill No. 537

Section 12. Paragraph (b) of subsection (1) of section 97.041, Florida Statutes, is amended to read:

97.041 Qualifications to register or vote.—
(1)
(b) A person who is otherwise qualified may preregister on or after that person's 17th birthday or receipt of a valid Florida driver's license, whichever occurs earlier, and may vote in any election occurring on or after that person's 18th birthday.

HAWAII LAW REGARDING YOUTH VOTER "PRE-REGISTRATION

HRS § 11-12

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*** THIS DOCUMENT IS CURRENT THROUGH ALL 2007 LEGISLATION OF THE 2007 REGULAR AND FIRST SPECIAL SESSION ***
*** ANNOTATIONS CURRENT THROUGH AUGUST 15, 2007 ***

DIVISION 1. GOVERNMENT
TITLE 2 Elections
CHAPTER 11 Elections, Generally
PART II. Registration

HRS § 11-12 (2007)

§ 11-12. Age; place of registering.

(a) Every person who has reached the age of eighteen years or who is seventeen years of age and will be eighteen years of age by the date of the next election, and is otherwise qualified to register may do so for that election. The person shall then be listed upon the appropriate county general register and precinct list. No person shall register or vote in any other precinct than that in which the person resides except as provided in section 11-21.

(b) A person who is otherwise qualified to register and is at least sixteen years of age but will not be eighteen years of age by the date of the next election may preregister upon satisfactory proof of age and shall be automatically registered upon reaching age eighteen.

HISTORY: L 1970, c 26, pt of § 2; am L 1972, c 77, § 1; am L 1973, c 217, § 1(d); am L 1976, c 106, § 1(2); am L 1980, c 264, § 1(b); am imp L 1984, c 90, § 1; am L 1993, c 24, § 1

NOTES TO DECISIONS

Registration in wrong precinct.

Where a voter is registered by mistake in a precinct other than that in which he resides, he may vote in that precinct and his name shall be placed on the next succeeding list of electors in the precinct where he resides; but if an elector deliberately and fraudulently registers in the wrong precinct, his name must be stricken from the list of voters and he may not vote without reregistration in the district of his actual residence. In re Colburn, 39 Haw. 291, 1952 Haw. LEXIS 59 (1952) (decided under prior law).

OPINIONS OF ATTORNEY GENERAL

Loss of former residence.

Pursuant to this section, to qualify to vote in a particular representative district, a person must be a resident of a precinct within the district; but under § 11-13 to relinquish one's domicile or residence there must be an intent to remain permanently at the new place where one is physically present and to simultaneously abandon the previously permanent place of abode. Acquisition of the new domicile must have been completed and the animus to remain in the new location fixed before the former domicile can be considered lost; residence is not lost by a temporary absence nor by maintenance of a temporary home elsewhere. Op. Att'y Gen. No. 86-10 (1986).

APPENDIX O

PROPOSED LEGISATION

1. An Act to Implement the Recommendations of the Legislative Youth Advisory Council with Respect to Educational and Organizational Matters; and

2. An Act to Implement the Recommendation of the Legislative Youth Advisory Council to Allow Youth to Pre-register to Vote upon Reaching 16 Years of Age

An Act to Implement the Recommendations of the Legislative Youth Advisory Council with Respect to Educational and Organizational Matters

Proposed by the Legislative Youth Advisory Council pursuant to its authority under 3 MRSA, §168-A

Be it enacted by the People of Maine as follows:

Sec. 1. 3 MRSA, §168-A, sub-§1, ¶¶D & E are amended to read:

D. Meet at least 3 times but not more than 6 times per year, including not more than 2 public hearings on issues of importance to youth. The Council may meet more than 6 times per year, at times and at locations of their choice, provided that those additional meetings are funded entirely from outside funding sources approved by the Legislative Council under section 11; and

E. Report biennially to the Legislative Council on its activities by ~~December 1st preceding each second regular session of the Legislature~~ the first business day in February of each even-numbered year. The council may submit proposed legislation as part of its report to the Legislative Council to implement its recommendations.

Sec. 2. 20-A MRSA, §1001, sub-§15, last ¶ is amended to read:

A student code of conduct may include provisions allowing for the use of a district-wide extra-curricular "honor code." The school board is responsible for ensuring that school officials inform students, parents and community members of the student code of conduct.

Sec. 3. Minimum standards for co-curricular "honor contracts"; rules:

In consultation with the Maine State Board of Education, school administrators, teachers and parents and other interested local officials and community members, the commissioner shall, by January 1, 2009, adopt rules establishing minimum standards for co-curricular honor contracts adopted by school boards under the provisions of 20-A MRSA, §1001, sub-§15. Those minimum standards must include, but are not be limited to, specifying the types of behavior that must be covered by such contracts, the extent to which the contracts may cover behavior of students while off school grounds and not engaged in school sponsored activities, the standards to be used by the school to determine whether or not a student has violated the co-curricular contract and standards ensuring that co-curricular honor contracts, if adopted by a school board, be enforced consistently and fairly among all students. Rules adopted under this subsection are major substantive rules under the provisions of Title 5, chapter 375.

SUMMARY

This bill proposes to allow the Legislative Youth Advisory Council to meet more than six times per year if those additional meetings are funded by outside funding sources approved by the Legislative Council and to extend the biennial reporting date of the Legislative Youth

Advisory Council from December 1st in each odd-numbered year to the first business day in February in each even-numbered year.

The bill also amends the laws governing the duties of school boards to allow, but not require, school boards to include co-curricular "honor contracts" as part of their district-wide code of conduct. The bill also directs the Commissioner of Education to adopt major substantive rules governing the minimum standards that must be met by co-curricular honor contracts if a school board chooses to include a co-curricular honor contract as part of their code of conduct.

An Act to Implement the Recommendation of the Legislative Youth Advisory Council to Allow Youth to Pre-register to Vote upon Reaching 16 Years of Age

Proposed by the Legislative Youth Advisory Council pursuant to its authority under 3 MRSA, §168-A

Be it enacted by the People of Maine as follows:

Sec. 1. 21-A MRSA, §111-B is enacted to read:

111-B. Pre-registration

A person who has reached 16 years of age and who meets all applicable citizenship and residency requirements of this chapter may pre-register to vote by completing a form designed by the Secretary of State and submitting that form to the Secretary. A person who has pre-registered to vote under this section shall be automatically registered to vote when that person reaches 18 years of age or when that person meets the age qualification for voting in a primary election under section 111-A, whichever occurs first.

Sec. 2. Rulemaking; form availability and public education. The Secretary of State shall adopt rules as necessary and as soon as practicable to implement the provisions of Title 21-A, section 111-B of the Maine Revised Statutes. Pre-registration forms designed by the Secretary of State pursuant to that section must be publicly available during regular business hours at all local offices of the Bureau of Motor Vehicles and shall be supplied by the Secretary to all municipal registrars. The Secretary shall undertake such public education efforts as are necessary to ensure that the youth of Maine are aware of this voter pre-registration option and understand the pre-registration process. Rules adopted under this Act are routine technical rules under the provisions of Title 5, chapter 375 of the Maine Revised Statutes.

SUMMARY

This bill allows an eligible person to pre-register to vote upon reaching 16 years of age. Once pre-registered, that person is automatically registered to vote when that person reaches 18 years of age or when that person meets the age qualification for voting in a primary election under section 111-A, whichever occurs first. The bill directs the Secretary of State to adopt such routine technical rules as are necessary to implement this process, and is required to ensure that pre-registration forms are publicly available at all offices of the Bureau of Motor Vehicles and are provided to all municipal registrars. The Secretary of State is also directed to undertake efforts to ensure that youth in Maine are aware of this pre-registration option.