



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 723

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H.P. 496

House of Representatives, February 28, 2013

### **An Act To Ensure the Proper Treatment of Bullying Situations in Schools**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative McCLELLAN of Raymond.  
Cosponsored by Representatives: HUBBELL of Bar Harbor, JOHNSON of Greenville,  
MAKER of Calais, POULIOT of Augusta.

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

2 **Sec. 1. 20-A MRSA §6554, sub-§5, ¶F**, as enacted by PL 2011, c. 659, §3, is  
3 amended to read:

4 F. A procedure for promptly investigating and responding to incidents of bullying,  
5 including written documentation, in a form developed and established by the school  
6 board in consultation with teachers, of reported incidents, other than incidents  
7 resolved in accordance with procedures established under paragraph F-1, and the  
8 outcome of the investigations;

9 **Sec. 2. 20-A MRSA §6554, sub-§5, ¶F-1** is enacted to read:

10 F-1. Procedures for investigating and attempting to resolve an allegation of bullying  
11 involving a person without any prior history of bullying, under which the incident, if  
12 it can be informally and satisfactorily resolved among the affected individuals,  
13 including the person who was the object of the alleged bullying and that person's  
14 parents, does not require written documentation under paragraph F;

15 **Sec. 3. Modification of model policy.** Within 90 days after the effective date of  
16 this Act, the Commissioner of Education shall modify the model policy to address  
17 bullying and cyberbullying developed pursuant to the Maine Revised Statutes, Title 20-A,  
18 section 254, subsection 11-A to make it consistent with the provisions of this Act and  
19 shall provide the modified model policy to each school administrative unit in the State  
20 and post it on the publicly accessible portion of the Department of Education's website  
21 along with any training and instructional materials related to the policy that the  
22 commissioner determines necessary.

23 **SUMMARY**

24 This bill modifies the law governing school policies on bullying to require that:

25 1. Policies governing written documentation be developed and established by each  
26 school board in consultation with teachers;

27 2. The policies include procedures for investigating and attempting to resolve an  
28 allegation of bullying involving a person without any prior history of bullying, under  
29 which the incident, if it can be informally and satisfactorily resolved among the affected  
30 individuals, does not require written documentation; and

31 3. Within 90 days after the effective date of this legislation, the Commissioner of  
32 Education modify the commissioner's model policy to address bullying and cyberbullying  
33 to make it consistent with the provisions of this legislation and provide the modified  
34 model policy to each school administrative unit in the State and post it on the publicly  
35 accessible portion of the Department of Education's website along with any training and  
36 instructional materials related to the policy that the commissioner determines necessary.