

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

Date: (Filing No. S- )

**EDUCATION AND CULTURAL AFFAIRS**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 294, L.D. 880, “An Act To Protect School Employees from Workplace Bullying”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 20-A MRSA §1001, sub-§21** is enacted to read:

**21. Workplace bullying.** A school board shall adopt and implement a policy to address the negative effects of bullying of school employees by administrators, school employees, parents, students or any other individuals associated with the public school and to ensure the safety of employees and an inclusive environment for all employees and students in the public school. The policy must include, but is not limited to:

- A. A provision identifying the responsibility of all school employees to comply with the policy;
- B. A clear statement that bullying, harassment and retaliation for reporting such behavior are prohibited;
- C. A provision outlining the responsibility of a superintendent to implement and enforce the policy;
- D. A procedure for school employees to report incidents of bullying;
- E. A procedure for promptly investigating and responding to incidents of bullying, including written documentation of reported incidents; and
- F. A statement that any rights under the policy do not exclude access to or limit any other right or remedy under the law.

If an affected school employee is covered by a collective bargaining agreement, the policy under this subsection is subject to the dispute resolution process of the collective bargaining agreement.

For the purposes of this subsection, "bullying" includes cyberbullying as defined in section 6554, subsection 2, paragraph C.

**COMMITTEE AMENDMENT**

1           **Sec. 2. Reimbursement.** The Department of Education shall develop a process to  
2 provide reimbursement to school administrative units for 90% of the cost of adopting and  
3 implementing a policy to address the bullying of school employees.

4           **Sec. 3. Appropriations and allocations.** The following appropriations and  
5 allocations are made.

6           **EDUCATION, DEPARTMENT OF**

7           **State Mandate Reimbursement - Workplace Bullying N398**

8 Initiative: Provides one-time funds to reimburse local school administrative units for 90%  
9 of the cost of adopting and implementing a policy to address the bullying of school  
10 employees.

11 <b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
12           All Other	\$26,308	\$0
13		
14           GENERAL FUND TOTAL	<u>\$26,308</u>	<u>\$0</u>

15  
16           Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
17 number to read consecutively.

18   **SUMMARY**

19           This amendment replaces the bill. It requires a school board to implement a policy to  
20 address the negative effects of bullying and cyberbullying of school employees by  
21 administrators, school employees, parents, students or any other individuals associated with  
22 the public school. It describes the elements required to be included in the policy. If an  
23 affected school employee is covered by a collective bargaining agreement, the policy is  
24 subject to the dispute resolution process of the collective bargaining agreement. The  
25 amendment adds an appropriations and allocations section.

26   **FISCAL NOTE REQUIRED**  
27   **(See attached)**