

TO: State Board Of Education
FROM: Jaci Holmes, Federal State Legislative Liaison
DATE: September 28, 2015
RE: Amendment to Chapter 125: Basic School Approval as the Result of
Legislative Action

LD 97, Resolve 2015, Chapter 2 directed the Department of Education and State Board of Education to amend Joint Rule Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units to include lockdown drills as well as emergency evacuation drills within the established required number of drills to be performed.

I will propose the change that has been required as part of Legislative action, which has been heard and worked by the Joint Committee on Education and passed by the full Legislature during the last session to the Secretary of State on October 16, 2015, which will initiate the APA process. I have attached the Governor's Office Approval, the proposal form and the actual page with the change.

At the November State Board meeting I will need Board signature to submit the paperwork for adoption.

Approval of Rulemaking Activity
Prepared by the Office of the Secretary of State

Pursuant to Executive Order 20 FY 11/12, "An Order Establishing Comprehensive Rulemaking Oversight", issued by the Governor on August 24, 2011, all Administrative Procedure Act (APA) proposals and specified adoptions must be approved by the Governor's Office before the APA filing will be accepted by the Office of the Secretary of State. "Specified adoptions" are emergency adoptions, and adoptions with changes from the already approved proposed rule text.

A copy of this form, signed by the appropriate staff member of the Governor's Office, must be filed with each filing presented to the Secretary of State's office.

Agency: Education

Name of contact person for this filing: Jaci Holmes

Phone number: 207- 624-6669

E-mail address: jaci.holmes@maine.gov

Chapter number and rule title: Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units

Statutory authority: 20-A MRSA §4502(4)

Type of rulemaking activity (check one):

Routine technical

- Proposal
 Adoption
 Emergency adoption

Major substantive

(as defined in 5 MRSA ch. 375 sub-ch. 2-A)

- Proposal
 Provisional adoption
 Final adoption
 Emergency adoption

Is this rulemaking activity being submitted to comply with changes in State and / or Federal law? Yes (If yes, please provide statutory reference LD 97, Resolve 2015, Chapter 2)

Authorization by the Governor's Office

Authorization to proceed with the requested rulemaking activity referenced above is hereby

granted on 9/10/15
(date)

Signature: 
(Original signature, personally signed by authorized staff of Governor's Office)

Printed name/Title: AARON D CHADBURNE / SR POLICY ADVISOR

Notice of Agency Rule-making Proposal

AGENCY: Education

CHAPTER NUMBER AND TITLE: Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units

PROPOSED RULE NUMBER (*leave blank; assigned by Secretary of State*):

CONTACT PERSON FOR THIS FILING: Jaci Holmes

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different): N/A

PUBLIC HEARING (if any): no hearing planned

COMMENT DEADLINE: November 13, 2015

BRIEF *SUMMARY:

LD 97, Resolve 2015, Chapter 2 directed the Department of Education and State Board of Education to amend Joint Rule Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units to include lockdown drills as well as emergency evacuation drills within the established required number of drills to be performed.

IMPACT ON MUNICIPALITIES OR COUNTIES (if any) N/A

STATUTORY AUTHORITY FOR THIS RULE:

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different):

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:

** Check one of the following two boxes.*

The above summary is for use in both the newspaper and website notices.

The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____
(*authorized signature*)

- (3) Each child in grades 5-8 shall be screened for scoliosis in accordance with Me. Dept. of Hum. Svc. Reg. 281 by designated school personnel. Exceptions on religious, moral, philosophical, or personal grounds shall be in accordance with Maine law.
- B) The school administrative unit shall inform the parent of a student suffering from a health problem.
- C) Each school administrative unit shall adopt a policy regarding the administration of medications to students and shall train all unlicensed personnel who administer medications, in compliance with rules of the Commissioner.

10.02 **Emergency Procedures**

To protect the safety of students and personnel, each school administrative unit shall develop a Crisis Response Plan to deal with crises and potential crisis situations including violent acts by or against students or other persons in each school. The Plan shall include the designation of an adult responsible on site during an emergency. The unit will work with local public safety, mental health, and law enforcement officials in developing this plan, which will be included in the unit's Comprehensive Education Plan.

A) **Emergency Evacuation Drills and Lockdown Drills**

Schools are required to conduct lockdown drills as well as emergency evacuation drills. Written procedures for emergency evacuation drills shall be posted in all buildings. Written procedures for lockdown drills shall not be posted.

Schools at all levels K-12 are required to hold two drills during the first two weeks of school. Schools enrolling grades K-4 shall hold an additional eight drills during the year; schools enrolling grades 5-8, an additional six drills; schools enrolling grades 9-12, an additional four drills. Schools enrolling any combinations of these grade levels shall hold the additional number of drills required of the lowest grade level within the span, except that the local fire chief may increase the number of drills required. Results shall be recorded and deficiencies noted and corrected using forms provided by the Department. School personnel shall receive an annual orientation ~~in this~~ on these procedures.

B) **Medical Procedures**

Each school shall have first-aid medical supplies available for the treatment of minor injuries.

Each school shall distribute to all school personnel a written procedure governing the handling of serious health emergencies, including accidents. School personnel shall receive an orientation in this procedure.