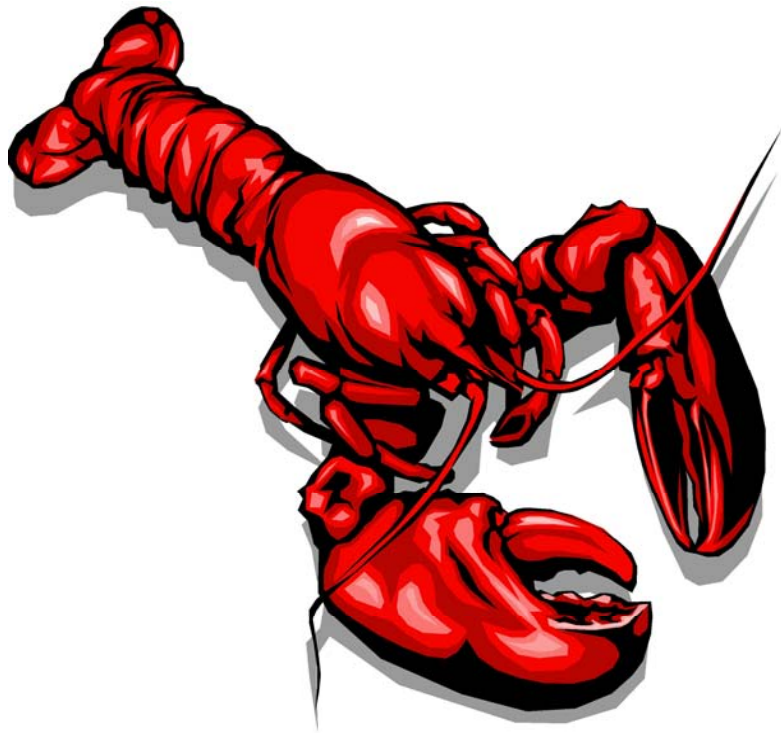
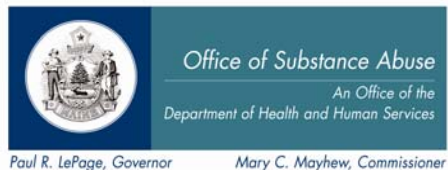


Maine Safe and Drug-Free Schools and Communities Act Program

Report on Incidence of Prohibited Behavior and Drug and Violence Prevention **2009-2010**



The Maine Department of Health and Human
Services, Office of Substance Abuse and the
Maine Department of Education



The data in this report comes from the following sources:

- Pages 1-3: 2009-10 Safe & Drug-Free Schools (Title IV-A) Applications submitted by Maine School Administrative Units (SAUs) to the Maine Department of Education's No Child Left Behind Act Electronic Reporting System.
- Page 4: 2009-10 Gun-Free Schools Reports submitted by Maine SAUs to the Maine Department of Education's No Child Left Behind Act Electronic Reporting System.
- Pages 5-16: 2009-10 Incidence of Prohibited Behavior Reports submitted by Maine SAUs to the Maine Department of Education's Data Management System (MEDMS). Please note that the data on pages 5-16 have not been verified for accuracy.

To obtain a downloadable copy of this report, visit the following website: www.mainesdfsca.org

For answers to questions about this report, please contact:

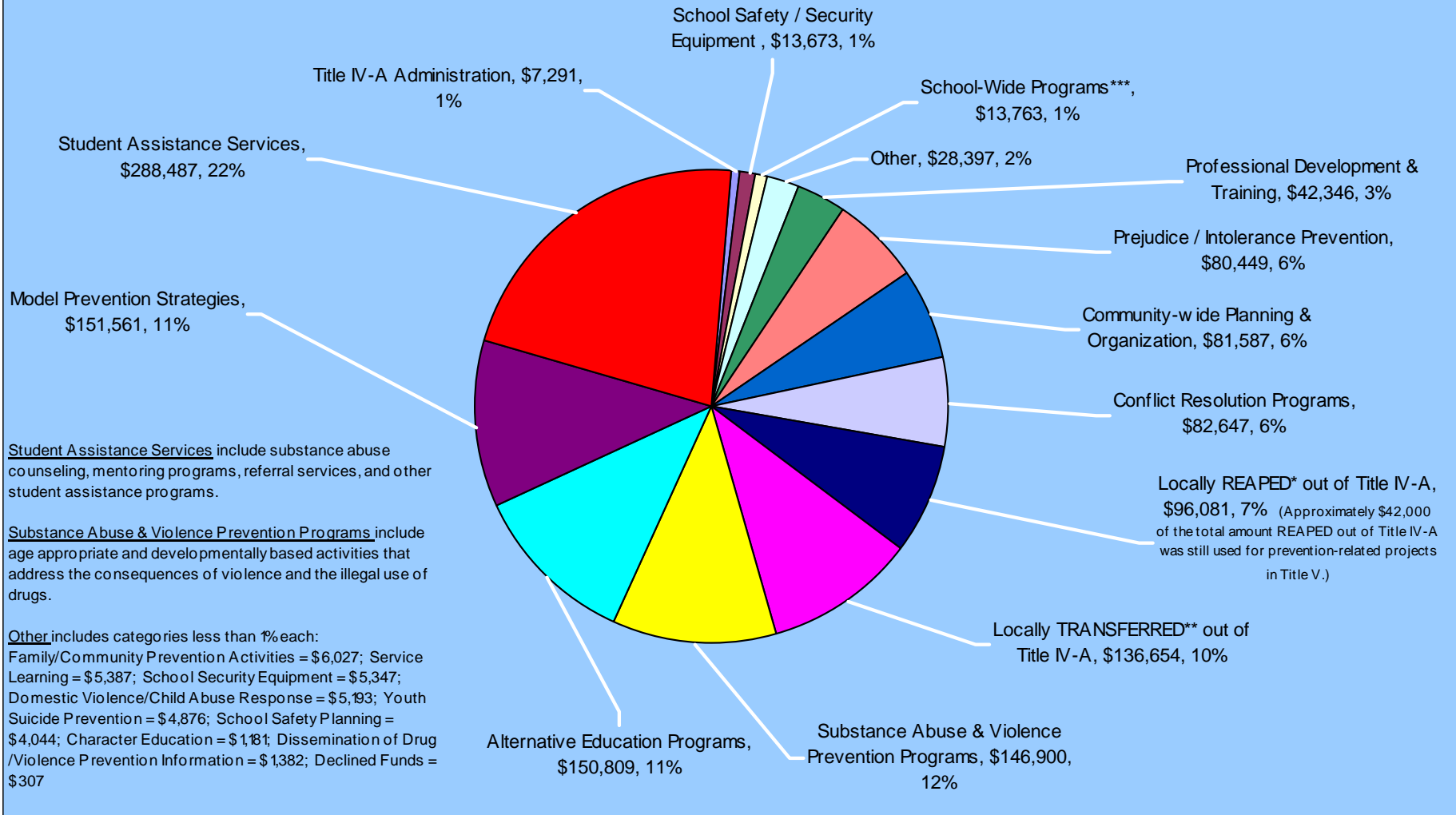
Maine Department of Health and Human Services
Office of Substance Abuse
11 State House Station, 41 Anthony Avenue
Augusta, ME 04333-0011
Telephone: 287-2595

TABLE OF CONTENTS

1. *DISTRIBUTION OF SAFE & DRUG-FREE SCHOOLS (TITLE IV-A) FUNDS 2009-10*
2. *SAFE & DRUG-FREE SCHOOLS (TITLE IV-A) FUNDED PREVENTION STRATEGIES BY TYPE, NUMBER, PERCENTAGE 2009-10*
3. *MODEL PROGRAMS USING SAFE & DRUG-FREE SCHOOLS (TITLE IV-A) FUNDS 2009-10*
4. *FEDERAL GUN-FREE SCHOOLS ACT REPORTING 2009-10*
5. *TOTAL NUMBER OF SCHOOL INCIDENTS OF PROHIBITED BEHAVIOR DURING 2009-10 RESULTING IN SUSPENSION, EXPULSION, OR REMOVAL TO AN ALTERNATIVE SETTING FOR 1 DAY OR MORE*
6. *TOTAL NUMBER OF STUDENTS SUSPENDED, EXPELLED, OR REMOVED TO AN ALTERNATIVE SETTING FOR 1 DAY OR MORE FOR SUBSTANCE ABUSE POLICY VIOLATIONS 2009-10*
7. *TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITHOUT PHYSICAL INJURY 2009-10*
8. *TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITHOUT PHYSICAL INJURY 2009-10*
9. *TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITH PHYSICAL INJURY 2009-10*
10. *TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITH PHYSICAL INJURY 2009-10*
11. *TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR WEAPONS POSSESSION 2009-10*
12. *TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR WEAPONS POSSESSION 2009-10*
13. *TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR ALCOHOL-RELATED INCIDENTS 2009-10*
14. *TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR ALCOHOL-RELATED INCIDENTS 2009-10*
15. *TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR ILLICIT DRUG-RELATED INCIDENTS 2009-10*
16. *TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR ILLICIT DRUG-RELATED INCIDENTS 2009-10*
- 17 – 20. *APPENDIX A: LIST OF REPORTABLE PROHIBITED BEHAVIORS*
21. *APPENDIX B: LIST OF REMOVAL TYPES & DEFINITIONS*
22. *APPENDIX C: FEDERAL GUN-FREE SCHOOLS ACT FIREARMS DEFINITION*

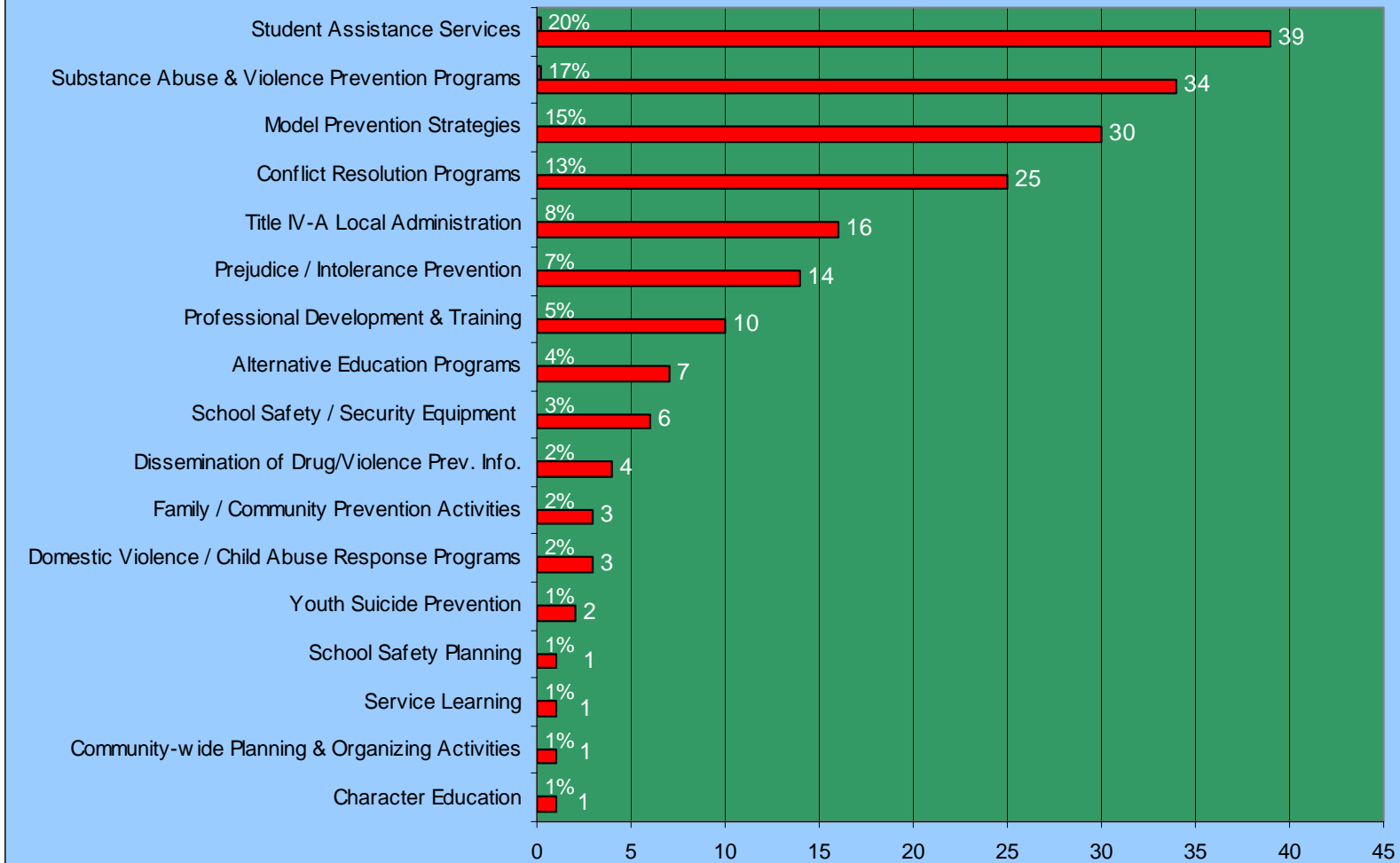
Distribution of Safe & Drug-Free Schools (Title IV-A) Funds 2009-10

(Includes base allocation of \$1,058,971 plus \$261,674 transferred into Title IV-A for a total disbursement of \$1,320,645)

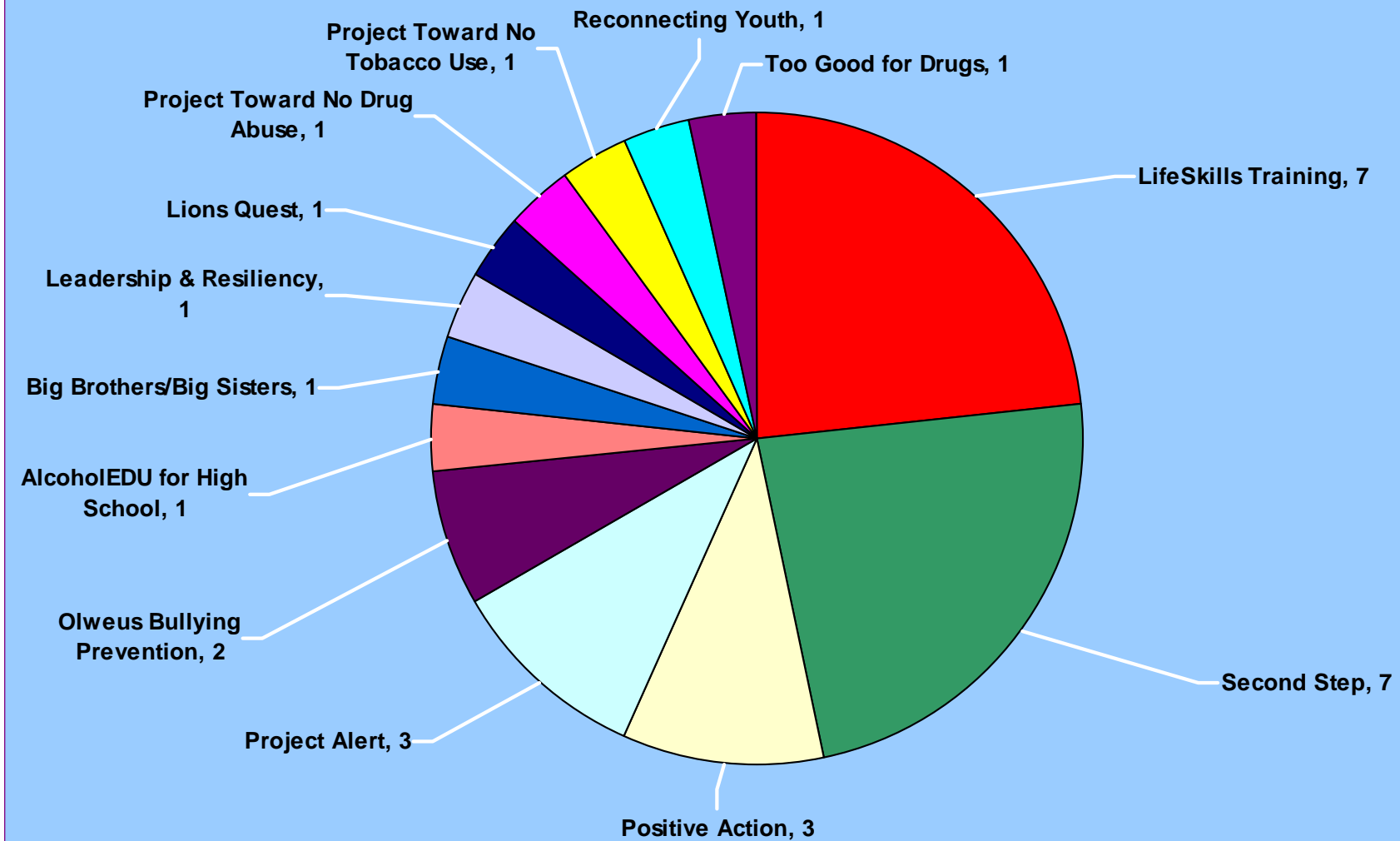


*The Rural Education Achievement Program (REAP) option allows rural school districts with less than 600 students greater flexibility in how they utilize NCLB Title funds. The option allows these districts to combine up to 100% of funds from certain Titles to support projects that are allowable under other Titles. **The TRANSFER option allows school districts to transfer up to 50% of certain Title funds to support projects that are allowable under other Titles. ***The School-Wide Option allows a district with an approved plan to consolidate NCLB Title funds in order to upgrade the entire educational program at an eligible school.

Safe & Drug-Free Schools (Title IV-A) Funded Prevention Strategies by Type, Number, Percentage 2009-10



Model Programs Using Safe & Drug Free Schools (Title IV-A) Funds 2009-10



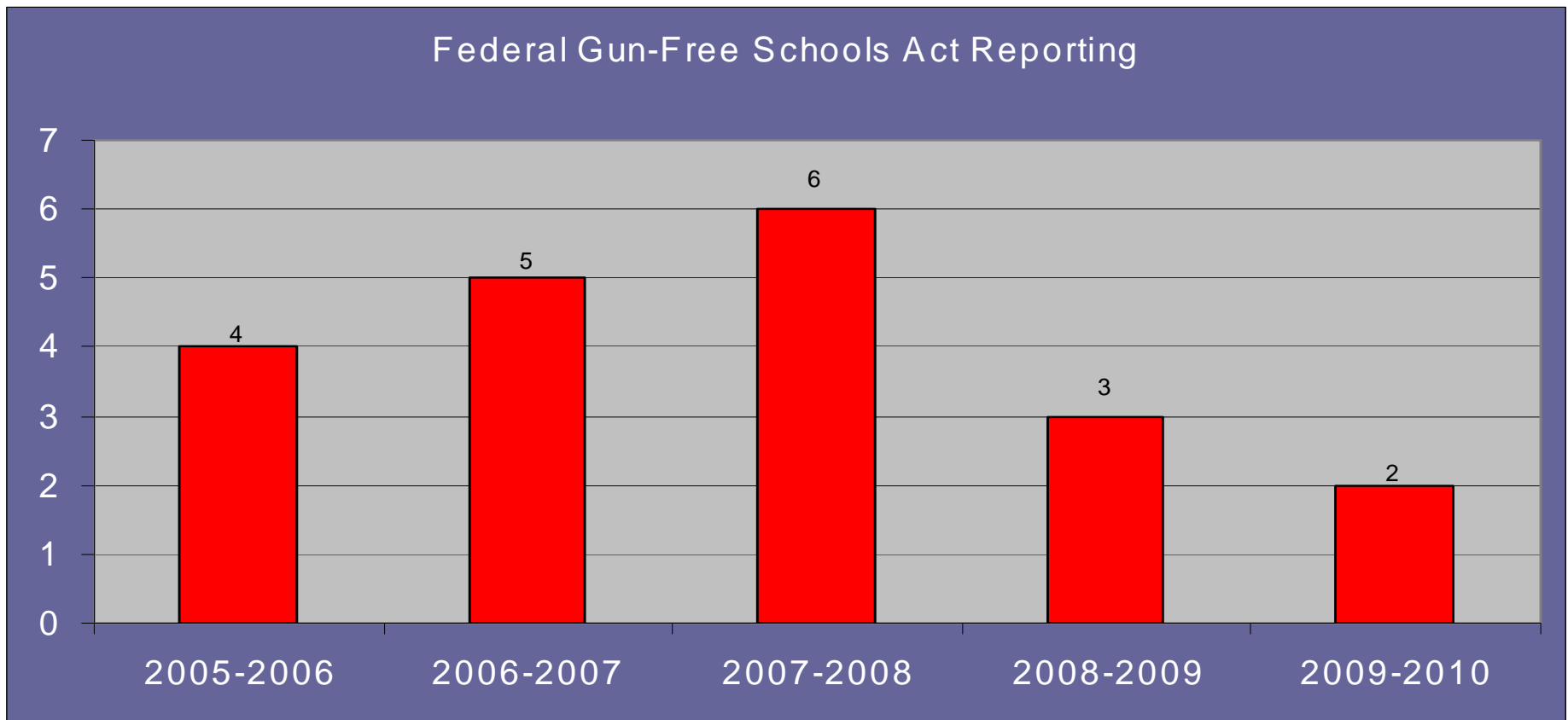
“Model” prevention programs are nationally recognized, research-based programs that have been subjected to rigorous review and meet high standards. When implemented with fidelity, these programs have proven to be effective in reducing violence and illegal drug use.

FEDERAL GUN-FREE SCHOOLS ACT REPORTING 2009-10

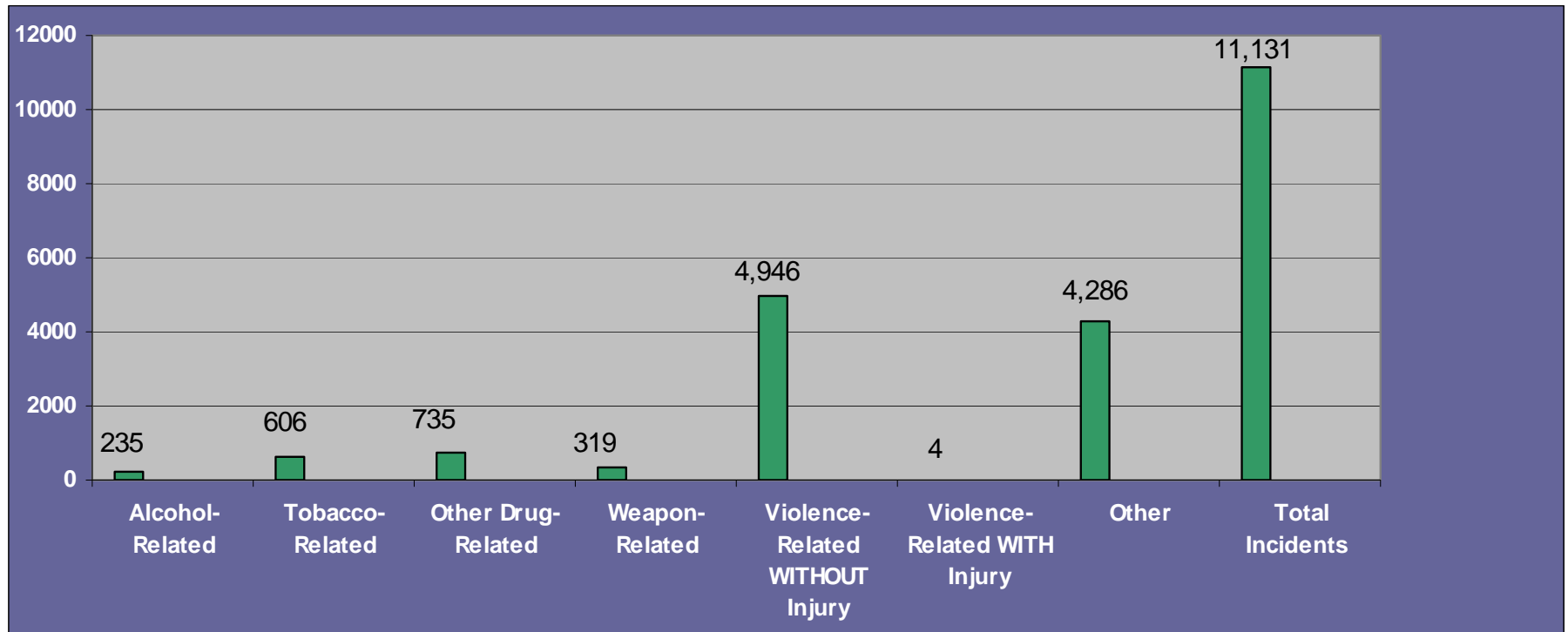
The Federal Gun-Free Schools Act, (part of the No Child Left Behind Act of 2002, Public Law 107-110, Title IV, Part A, Section 4141), and Maine state law, (20-A MRSA, Section 1001, subpart-9A, Students Expelled or Suspended under the Requirements of the Federal Gun-Free Schools Act), requires that School Administrative Units do the following:

Expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, (except that the federal and state laws shall allow the chief administering officer of such School Administrative Unit to modify such expulsion requirement for a student on a case-by-case basis), that they report the incident to the criminal justice or juvenile delinquency system, and that they provide the Maine Department of Education with annual documentation of the incident.

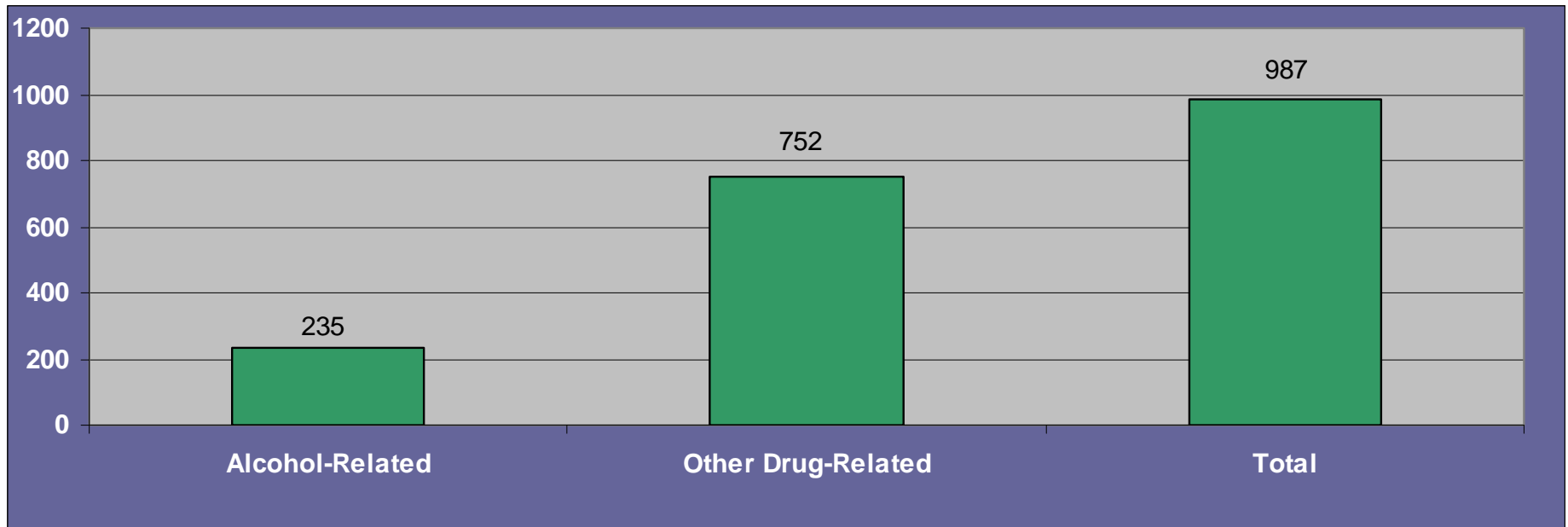
During 2009-10 School Administrative Units in Maine reported that two (2) firearms were brought into K-12 public schools or onto school grounds by students. (See Appendix D for the Federal Gun-Free Schools Act Firearms Definition.)



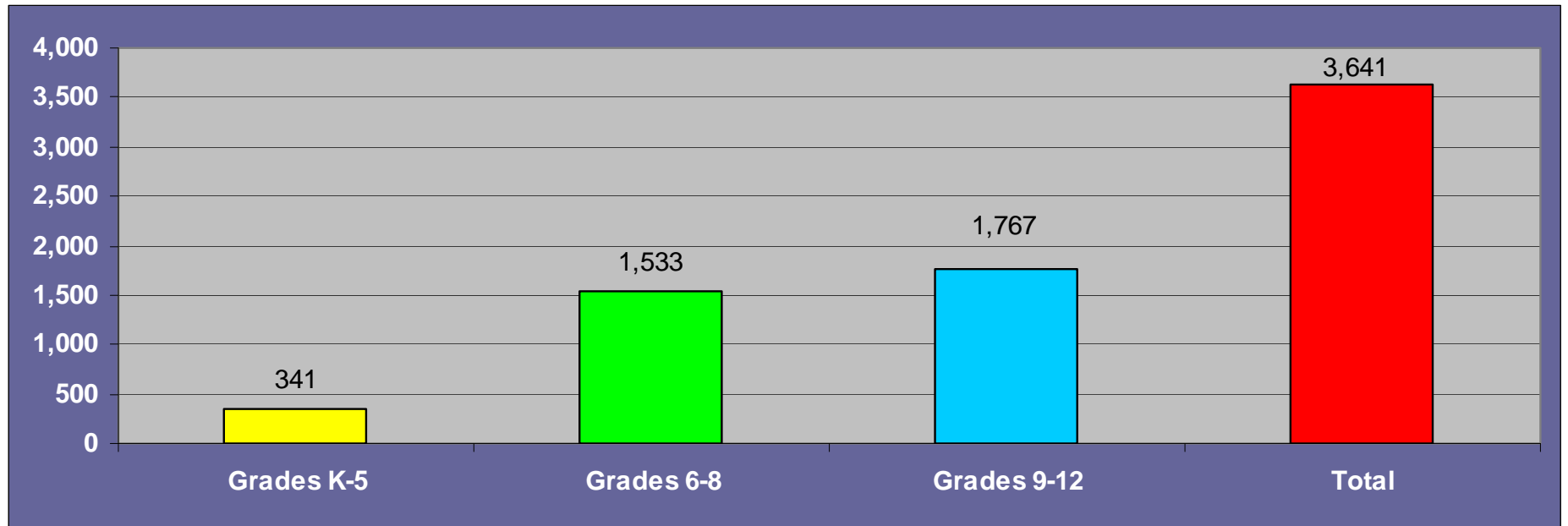
TOTAL NUMBER OF SCHOOL INCIDENTS OF PROHIBITED BEHAVIOR DURING 2009-10 RESULTING IN SUSPENSION, EXPULSION, OR REMOVAL TO AN ALTERNATIVE SETTING FOR 1 DAY OR MORE.



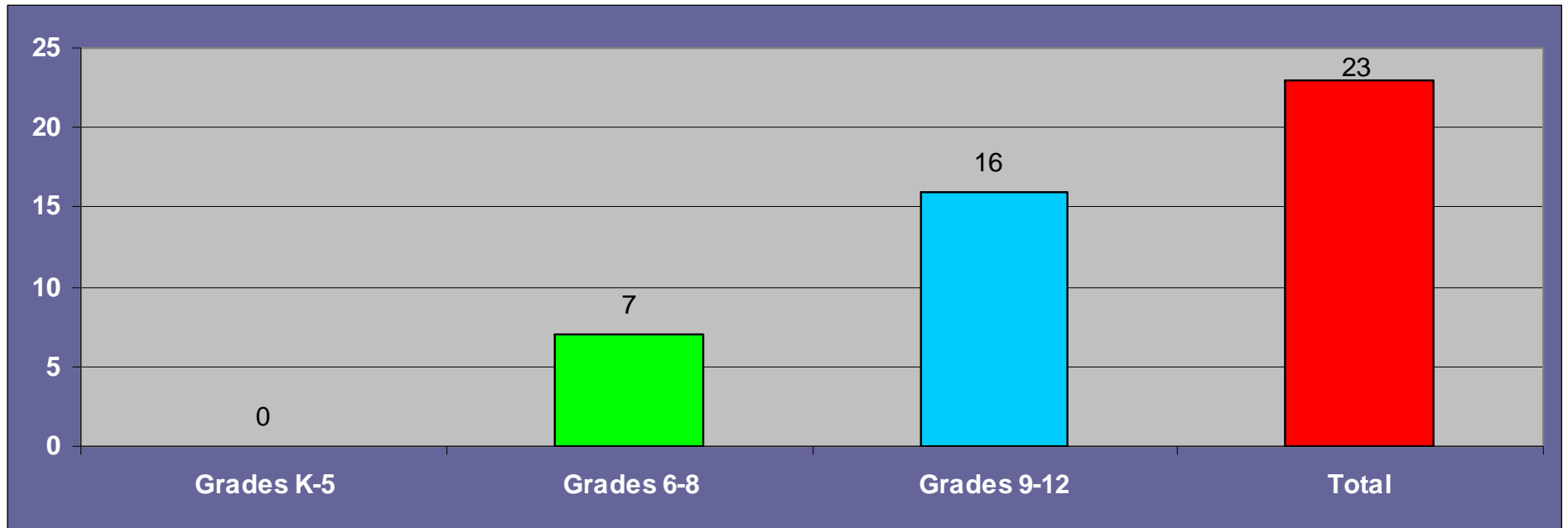
TOTAL NUMBER OF STUDENTS SUSPENDED, EXPELLED, OR REMOVED TO AN ALTERNATIVE SETTING FOR 1 DAY OR MORE FOR SUBSTANCE ABUSE POLICY VIOLATIONS 2009-10.



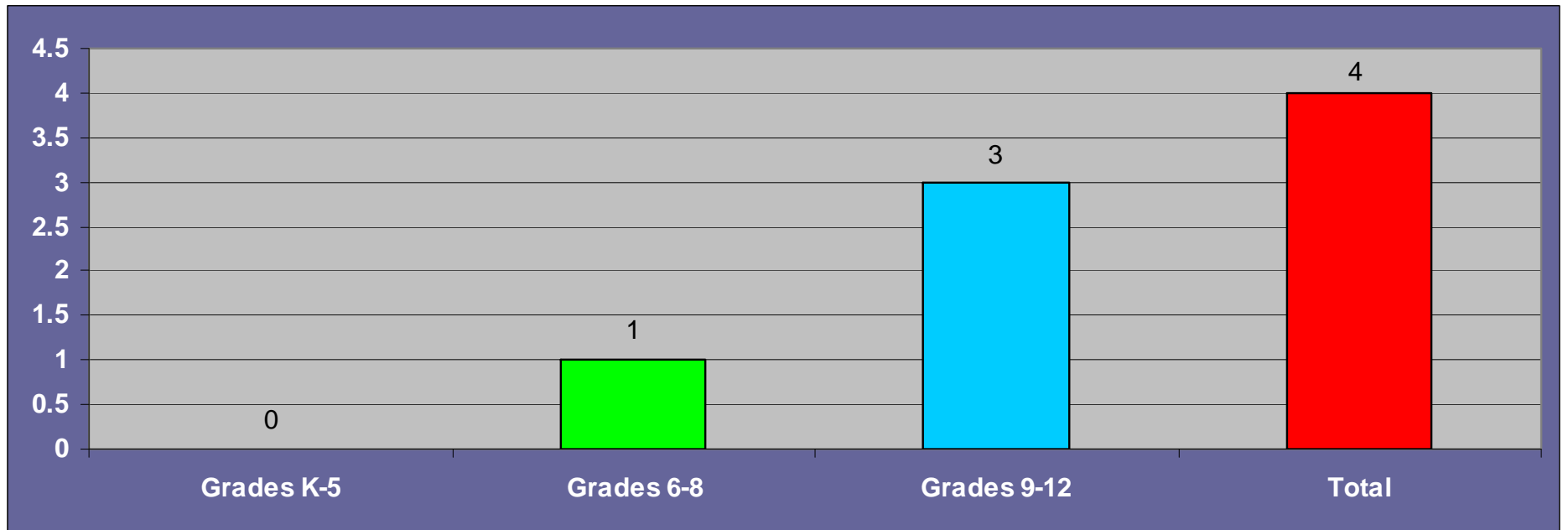
TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITHOUT PHYSICAL INJURY 2009-10.



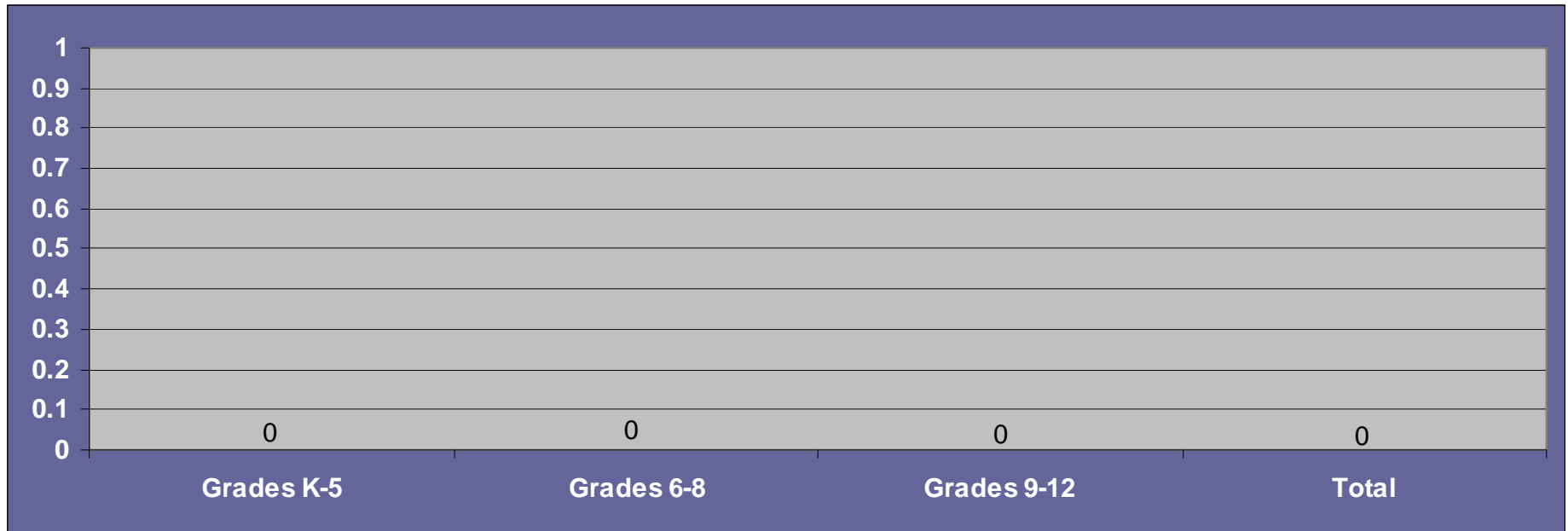
TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITHOUT PHYSICAL INJURY 2009-10.



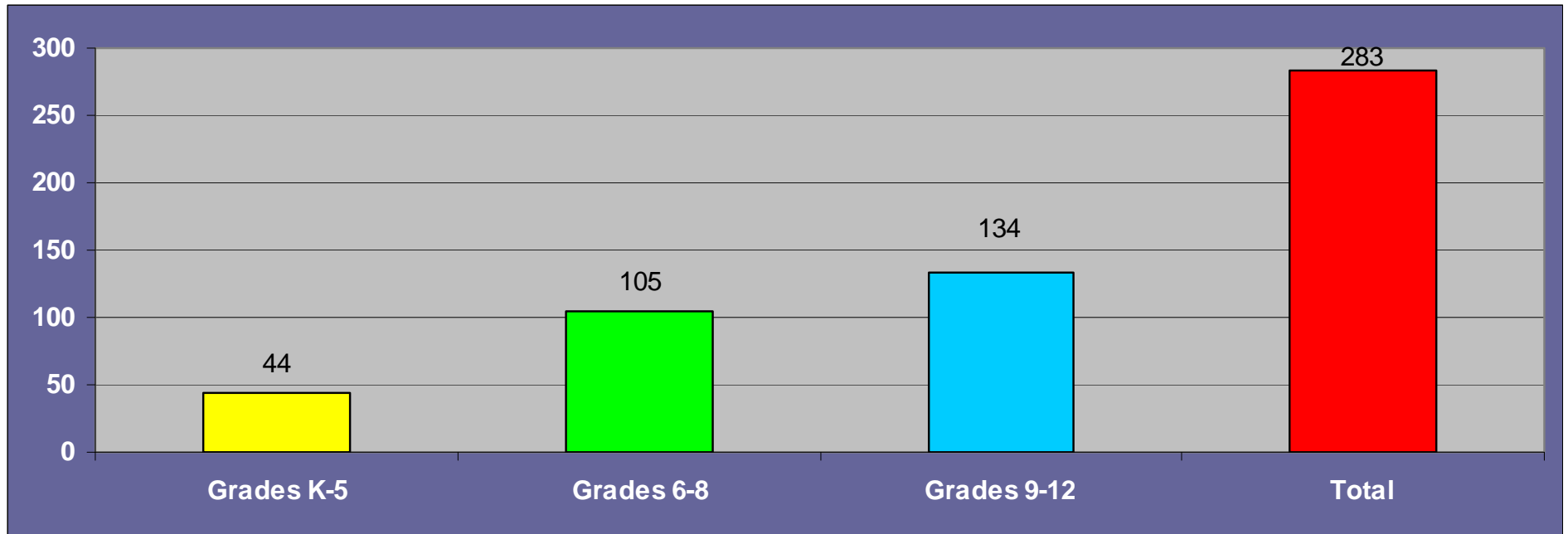
TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITH PHYSICAL INJURY 2009-10.



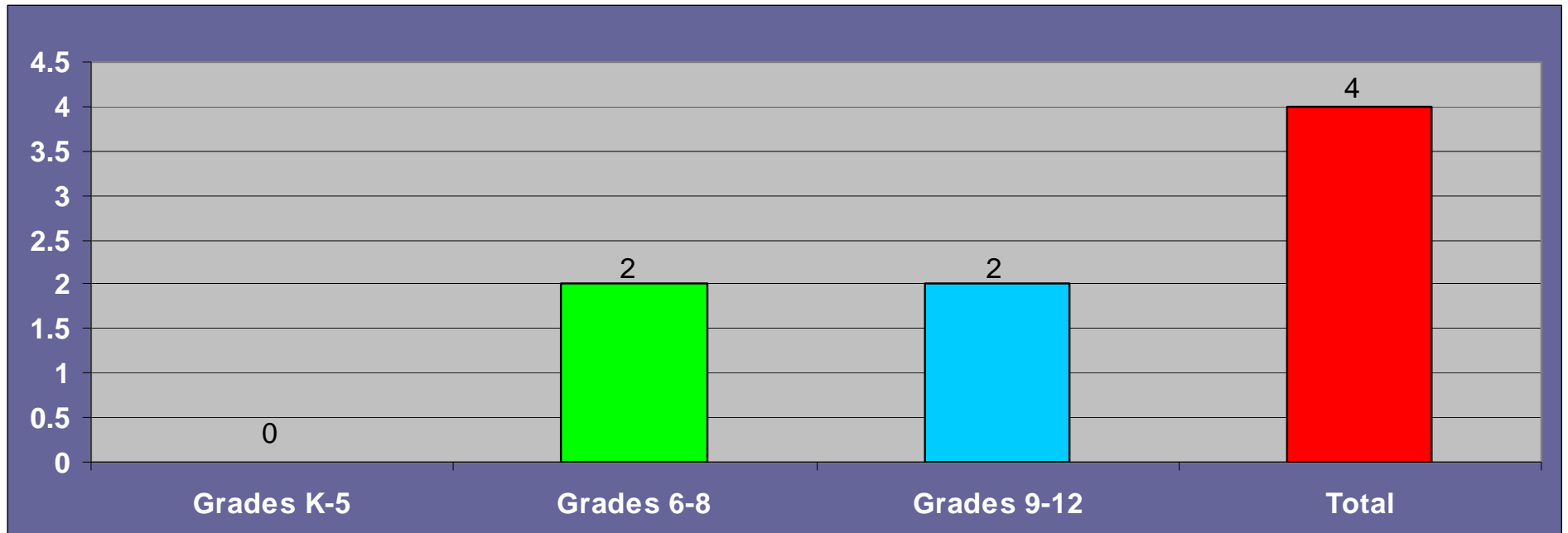
TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR VIOLENT INCIDENT WITH PHYSICAL INJURY 2009-10.



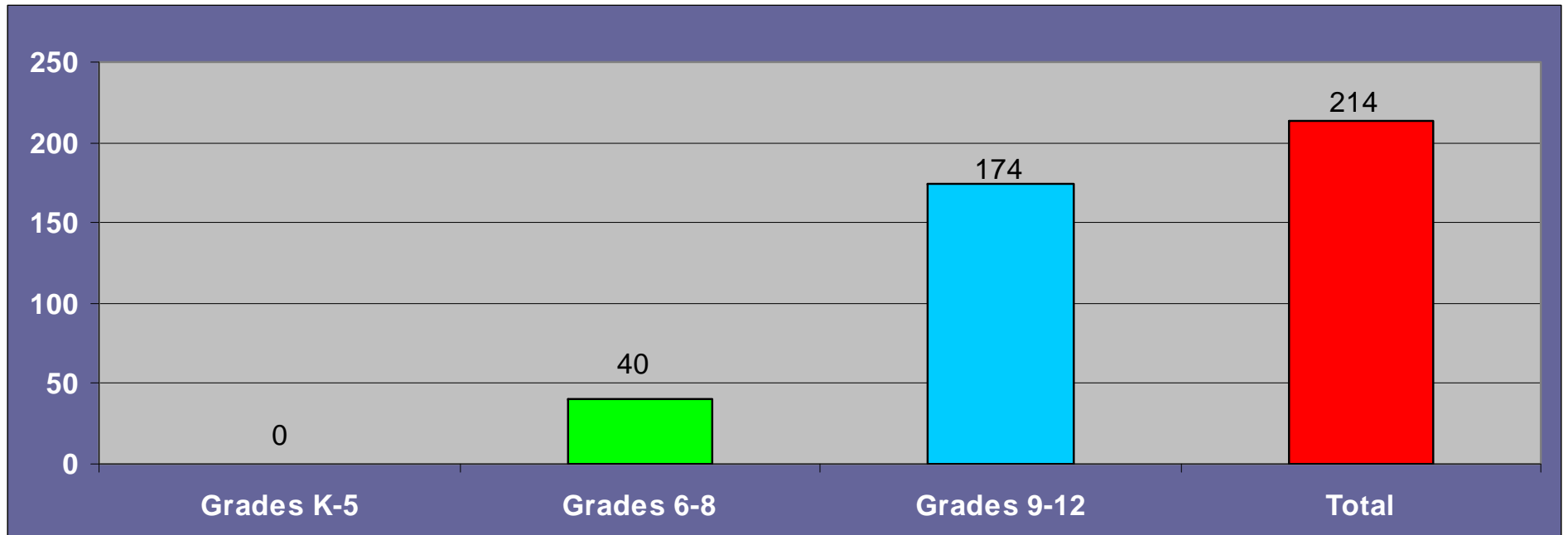
TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR WEAPONS POSESSION 2009-10.



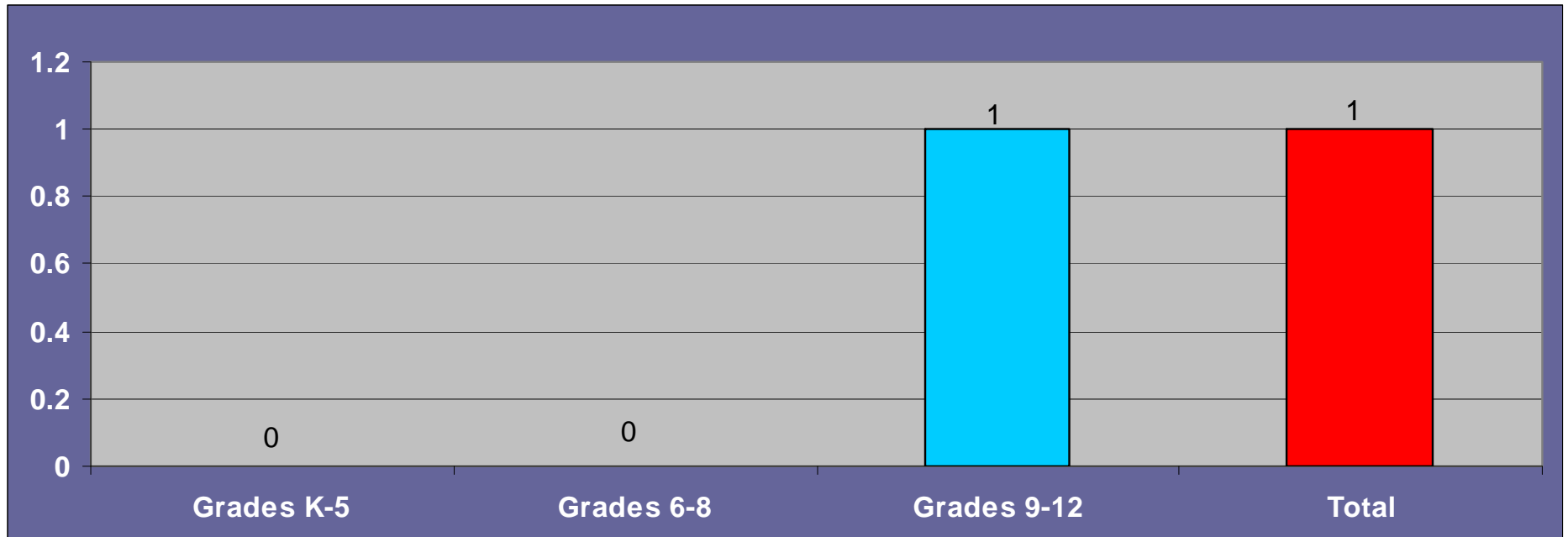
TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR WEAPONS POSSESSION 2009-10.



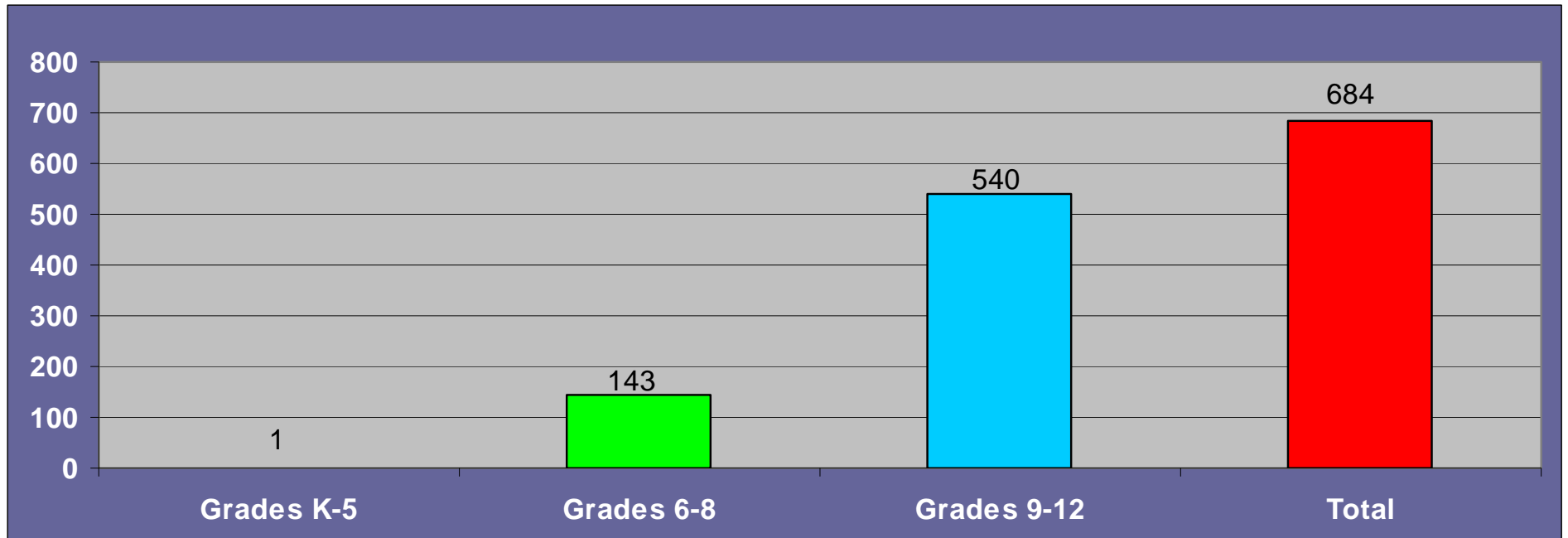
TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR ALCOHOL-RELATED INCIDENTS 2009-10.



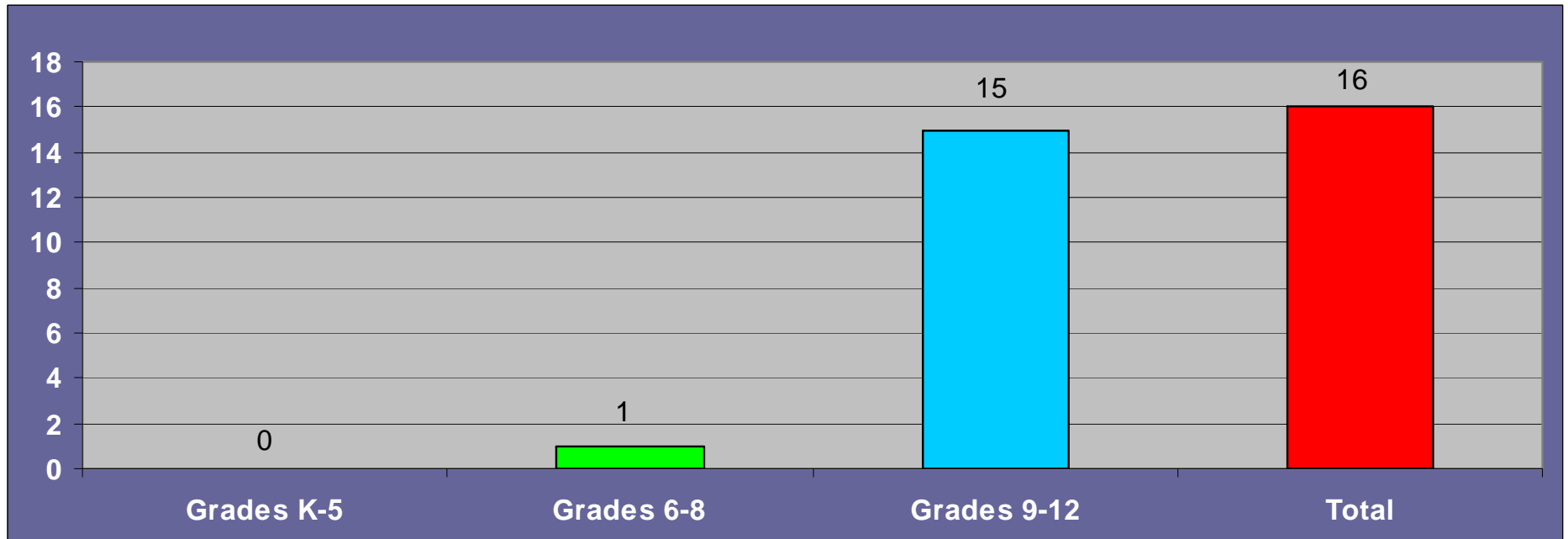
TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR ALCOHOL-RELATED INCIDENTS 2009-10.



TOTAL NUMBER OF OUT OF SCHOOL SUSPENSIONS FOR 1 DAY OR MORE FOR ILLICIT DRUG-RELATED INCIDENTS 2009-10.



TOTAL NUMBER OF EXPULSIONS FOR 1 DAY OR MORE FOR ILLICIT DRUG-RELATED INCIDENTS 2009-10.



Appendix A: List of Reportable Prohibited Behaviors

LIST OF INCIDENTS THAT ARE REPORTABLE TO THE MEDMS BEHAVIOR MODULE

- 1. Aggravated Assault:** An attempt to cause or purposely cause serious bodily injury to another, i.e., injury that creates a substantial risk of death or which causes permanent disfigurement, or protracted loss or impairment of the functions of any bodily member or organ.
- 2. Alcohol-Related:** Possession, sale, manufacture, distribution, use, or showing evidence of use of any alcoholic substances.
- 3. Arson:** Willful or malicious burning or attempt to burn a public building, motor vehicle, personal property, etc.
- 4. Assault With Firearm:** An attempt to cause or purposely cause serious bodily injury to another by use of a firearm. (See also: "Possession of Firearm" definition.)
- 5. Assault With Other Weapon:** An attempt to cause or purposely cause serious bodily injury to another by use of a weapon other than a firearm. (See also: "Possession of Other Weapon" definition.)
- 6. Battery:** A harmful or offensive touching of one person by another.
- 7. Bomb Threat:** Involves a spoken, written, called-in, or other communication that a bomb is present, but no actual bomb is found.
- 8. Bomb-Related:** Situation where some sort of bomb or materials to make a bomb is actually found.
- 9. Bullying / Injurious Hazing:** Any action or situation that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school. (Often associated with name calling, teasing about gender, personal appearance, and threats of physical harm.)
- 10. Burglary / Breaking and Entering:** The unlawful entry of a structure to commit felony or theft. (Attempted forcible entry is included.)
- 11. Disorderly Conduct:** Any act of public disturbance intentionally caused by any person who substantially disrupts, disturbs or interferes with the teaching of students at any public or private educational institution or engages in conduct which disturbs the peace, order, or discipline at any public or private educational institution or on the grounds adjacent thereto. (Examples might be pulling a fire alarm; disruptive demonstrations; smoke or stink bombs; outbursts that warrant calling police or security.)
- 12. Extortion:** The process of obtaining property from another, with or without that person's consent, by a wrongful use of force, fear, or threat.

13. Fighting: A physical confrontation involving two or more individuals in which physical harm is intended. EXCLUDES MINOR VERBAL CONFRONTATIONS OR OTHER MINOR CONFRONTATIONS SUCH AS SLIGHT PUSHING/SHOVING.

14. Fireworks: Detonation of firecrackers, fireworks, or other type materials.

15. Gang Fight: Fighting behavior (as defined under fighting) but related to gangs (somewhat organized groups of some duration, sometimes characterized by turf concerns, symbols, special dress and colors, recognized as a gang by its members and others.

16. Harassment: Sexual: Unwelcome sexual advances or conduct that creates an intimidating, hostile or offensive environment. Sexual harassing behavior could include repeated offensive jokes.

17. Harassment: Other: Repeated acts of aggression, including verbal acts of aggression, for the purpose of annoying, threatening, terrifying, harassing, or embarrassing a person; can precede serious violence included in the category of Bias Incident/Hate Crime. May include offenses motivated by race, national or ethnic origin, gender, religion, sexual orientation, or disability.

18. Hate Crime/Bias: A hate crime is an act of violence, threat of violence, or property damage. A bias incident is an act of hate that is not a crime. Both are incidents directed against a person, private property, or public property where the motive for the commission of the act is based on prejudice or bias against race, national or ethnic origin, gender, religion, sexual orientation, or disability. Common sense determination of whether or not an incident was a bias or hate-related offense should be based on consideration of multiple factors that may surround the incident, such as: 1) admission by the offender(s) of bias motivation; 2) obvious signs of bias, e.g., racial epithets uttered, hate graffiti; 3) the victim(s) expressing that bias motives were involved; or 4) a history of bias or hate-related offenses between students from the groups involved.

19. Homicide: A killing of one human being by another, i.e., without reference to guilt or innocence.

20. Kidnapping: The unlawful seizure, transportation and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian.

21. Larceny / Theft:

The unlawful taking, carrying, leading, or riding away of property from the possession of another, not taken by force and violence. *Examples: A student goes into another student's book bag to remove personal items. Theft from the locker room during PE or after school when students are participating in sporting events.*

22. Marijuana-Related: Possession, sale, manufacture, distribution, use, or showing evidence of use of marijuana substances.

23. Motor Vehicle Theft: Theft or attempted theft of a motor vehicle.

24. Other Drug-Related: Illegal drug possession, sale, manufacture, distribution, use, being under the influence of drugs other than tobacco, alcohol or marijuana. (Includes "huffing" or inhaling mind-altering substances. Includes substances represented as drugs. Includes drug paraphernalia possession or use of drugs such as steroids, speed, cocaine, heroin, etc. Includes taking or selling prescription drugs not intended for the individual involved, such as Ritalin or painkillers. Includes over the counter drugs or legal substances if abused by the student, including glue, substances in aerosol cans, paint thinner, etc. EXCLUDES TOBACCO, ALCOHOL, AND MARIJUANA.

25. Physical Attack: Physically pushing, hitting, or otherwise attacking another student or staff member, including striking a staff member who is intervening in a fight or other disruptive activity. EXCLUDES MINOR VERBAL CONFRONTATIONS OR OTHER MINOR CONFRONTATIONS SUCH AS SLIGHT PUSHING/SHOVING.

26. Possession of a Firearm: Possession of a handgun, rifle, or shotgun. (Do not include BB guns and other air-powered rifles; they should be considered "other weapons.") According to the Gun-Free Schools Act and the United States Code (18 USC 921), firearms include: Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;

The frame or receiver of any weapon described above;

Any destructive device, which includes:

(A) any explosive, incendiary, or poison gas

(1) bomb;

(2) grenade;

(3) rocket having a propellant charge of more than four ounces;

(4) missile having an explosive or incendiary charge of more than one-quarter ounce;

(5) mine; or

(6) similar device

(B) any weapon which will, or which may readily be converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.

(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

27. Possession of Other Weapon: Any instrument or object, OTHER THAN A FIREARM, possessed or used to inflict harm on another person, or to intimidate any person. Examples include all types of knives, chains, pipes, razor blades or similar instruments with sharp cutting edges; ice picks, dirks, other pointed instruments (including pens and pencils); numchucks; brass knuckles; Chinese stars; billy clubs; tear gas guns; electrical weapons or devices (stun guns); BB or pellet guns; explosives or propellant type weapons not listed in the "Possession of a Firearm" definition.

28. Robbery: Larceny from the person or presence of another by violence or threat.

29. Sale or Transfer of a Weapon: Selling or transferring a firearm or other weapon.

- 30. Sexual Battery:** Sexual contact forcibly and/or against the person's will or where the victim is incapable of giving consent.
- 31. Sexual Offense (non-forcible):** Lewd behavior; indecent exposure; includes sexual contact without force or threat of force and where the involved parties are capable of consenting.
- 32. Simple Assault:** An attempt to cause, threaten to cause, or purposely cause bodily injury to another, including verbally abusive language.
- 33. Stolen Property:** Buying, selling, receiving or distributing stolen property.
- 34. Threat / intimidation:** Physical or verbal threat; to unlawfully place another person in fear of bodily harm through verbal threats *without* displaying a weapon or subjecting the person to actual physical attack.
- 35. Tobacco-Related:** Possession, sale, manufacture, distribution, use, or showing evidence of use of any tobacco substances.
- 36. Trespassing:** To enter uninvited and unlawfully upon the land or property of another.
- 37. Truancy:** A person required to attend school or alternative instruction is truant when an absence of 1/2 day is not excused. A person is "habitually truant" if:
- A. The person is required to attend school or alternative instruction and has completed grade 6 and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; **or**
 - B. The person is required to attend school or alternative instruction and is at least 7 years of age and has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year.
- 38. Vandalism (criminal mischief):** Willful and/or malicious destruction, damage or serious defacement of school or personal property without consent. Examples would include destroying school computer records, graffiti, spray painting walls, destroying property.
- 39. Other School Code Violation:** If none of the incident types referenced above seem to apply to the incident that you are reporting, but the incident is still deemed to be serious enough to report, choose this category and place a description of the incident in the box provided.

Appendix B: List of Removal Types & Definitions

Expulsion with Services – An action taken by the School Administrative Unit removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with School Administrative Unit policy. Educational services ARE provided to the student during the expulsion period. This includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.

Out of School Suspension – Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., home, behavior center). This includes both removals in which no IEP services are provided because the removal is 10 days or less as well as removals in which the child continues to receive services according to his/her IEP.

Alternative Education Setting by School Personnel – An appropriate setting determined by the child's IEP team in which the child is placed for no more than 45 school days. This setting enables the child to continue to receive educational services and participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur.

In School Suspension – Instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision. (This is limited to a formal suspension issued by the appropriate school authority.)

Alternative Education Setting by Hearing Officer – Those instances in which an impartial hearing officer orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 school days based on the hearing officer's determination that maintaining the child's current placement is substantially likely to result in injury to the child or others. The IEP team is responsible for determining the interim alternative educational setting.

Expulsion without Services – An action taken by the School Administrative Unit removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with School Administrative Unit policy. Educational services ARE NOT provided to the student during the expulsion period. This includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.

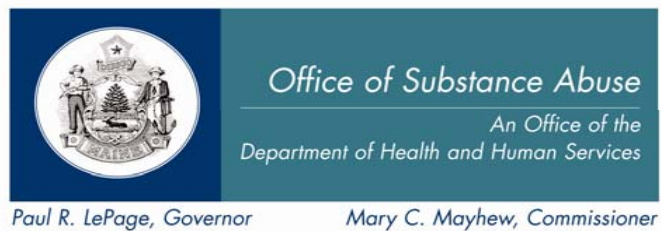
Appendix C: Federal Gun-Free Schools Act Firearms Definition

For reporting purposes, the term "firearm" means:

- Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (Do not include incidents involving BB guns or other air-powered types of weapons.)
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm silencer; or
- Any destructive device. Such term does not include an antique firearm.

The term "destructive device" means:

- Any explosive, incendiary, or poison gas;
- Bomb;
- Grenade;
- Rocket having a propellant charge of more than four ounces;
- Missile having an explosive or incendiary charge of more than one-quarter ounce;
- Mine; or
- Device similar to any of the devices described in the preceding clauses;
- Any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
- Any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.
- The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.



The Department of Health and Human Services does not discriminate on the basis of disability, race, color, creed, gender, sexual orientation, age or national origin in admission or access to or operations of its programs, services, or activities, or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973 as amended, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972 and the Maine Human Rights Act. Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to DHHS ADA Compliance/EEO Coordinator, SHS #11, Augusta, ME 04333; (207) 287-4289 (V) or (207) 28703488 (V), TTY: 800-606-0215. Individuals who need auxiliary aids or services for effective communication in programs and services of DHHS are invited to make their needs and preferences known to the ADA Compliance/EEO Coordinator. This information is available in alternate formats upon request.