

## **WEAPONS, VIOLENCE AND SCHOOL SAFETY**

The School Board believes that students and staff are entitled to learn and work in a school environment free of violence, threats and other disruptive behavior. Students, school staff, volunteers and visitors are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

School staff and volunteers are required to immediately report incidents of prohibited conduct to the building administrator for investigation and appropriate action. Students who are subjected to or observe prohibited conduct are strongly encouraged to report it to a staff member or administrator.

### **1. Prohibited Conduct**

Students, school staff, volunteers and visitors are prohibited from engaging in the following conduct on school property, while in attendance at school or at any other school-sponsored activity, or at any time or place that such conduct directly interferes with the operations, discipline or general welfare of the school:

- A. Possession and/or use of articles commonly used or designed to inflict bodily harm and/or threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to firearms, BB guns, pellet guns, any other kind of gun, ammunition, explosives, cross-bows, brass knuckles, switchblades, knives, chains, clubs, Kung Fu stars and nunchucks;
- B. Discharge of a firearm within 500 feet of school property;
- C. Use of any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person. Examples of such objects include but are not limited to bats, belts, picks, pencils, compasses, articles capable of ignition (e.g., matches, lighters), files, tools of any sort and replicas of weapons (including toys);
- D. Violent, threatening or menacing behavior, including but not limited to fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property (e.g., verbal or written death threats, threats of bodily harm, bomb threats), stalking, or blocking access to school property or facilities;
- E. Verbal or written statements (including those made on or through a computer or other electronic device) which threaten, intimidate, or harass others; verbal or written statements which tend to incite violence and/or disrupt the school program; blackmail; extortion; or demands for money or property;
- F. Intentional damage to school or personal property;

- G. Stealing or attempting to steal school or personal property;
- H. Lewd, indecent or obscene acts or expressions of any kind;
- I. Violations of the school unit's drug/alcohol and tobacco policies;
- J. Violations of state or federal laws; and
- K. Any other conduct that may be harmful to persons or property.

## **2. Exceptions to Prohibition Against Possession and Use of Weapons on School Property**

- A. The prohibition on the possession and discharge of a firearm does not apply to law enforcement officials.
- B. An authorized person who possesses an unloaded firearm for use in a supervised educational program approved and authorized by the Board, for which appropriate safeguards have been adopted by the Board;
- C. An authorized person who possesses other weapons for use in specific instructional programs that have been approved and authorized by the Board and for which appropriate safeguards have been adopted by the Board.

## **Disciplinary Action**

### **A. Students**

Principals may discipline, suspend and/or recommend expulsion of students who violate this policy based upon the facts of each case and in accordance with applicable state and federal laws. If the offense warrants a 10-day suspension, the school Board shall be notified immediately which could lead up to an expulsion hearing. Second offense automatically triggers a suspension, board notification and could lead up to an expulsion hearing. Conduct which violates this policy is deliberately disobedient and deliberately disorderly within the meaning of 20-A MRS § 1001 (9) and will be grounds for expulsion if found necessary for the peace and usefulness of the school. Such conduct may also be grounds for expulsion under other provisions of 20-A MRS § 1001 (9 and 9-A) that specifically prohibit the use and possession of weapons, infractions of violence, and possession, furnishing and trafficking of scheduled drugs.

Students who are found to have brought a firearm or to have possessed a firearm at a school (as both terms are defined by federal law), shall be expelled for a period of not less than one year, unless this requirement is modified by the Superintendent on a case-by case basis in writing.

All firearms violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent/designee.

Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations and Board Policy JKF.

### **B. School Staff and Volunteers**

School staff members who violate this policy shall be disciplined in accordance with any applicable collective bargaining agreement or school unit procedure.

Volunteers who violate this policy may, at the Superintendent and building administrator's discretion, have their volunteer authorization revoked or restricted, depending on the circumstances of the particular case.

All firearms violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent/designee.

### **C. Visitors**

Visitors who violate this policy may be required to leave school property.

All firearms violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent/designee.

## **4. Psychological Evaluation/Risk Assessment**

The Superintendent is authorized as soon as reasonably possible to request a psychological evaluation of a student who violates this policy when, in his/her opinion, such an evaluation will assist in assessing the risk the student poses to school safety if the student were to remain in school or return to school after a suspension or expulsion.

All such evaluations shall be performed at the school unit's expense. If the parents/guardians and/or the student refuse to permit a requested psychological evaluation, the Superintendent and the Board may draw any reasonable inferences from the student's behavior concerning the risk the student poses to school safety for purposes of determining appropriate action.

NOTE: The Maine law on bullying requires the State to provide local school units with training modules on bullying/harassment and other guidelines to implement bullying policies. Local Boards may want to consider adding the following section to this policy to address this.

### **5. Staff/Student Training and Procedures**

The Superintendent is authorized to institute training programs for staff and students designed to support the goal of providing a safe, orderly and respectful school environment. The Superintendent is also authorized to implement any administrative procedures necessary to carry out this policy.

Legal References: 20 USC § 7151 ( Gun-Free Schools Act)  
5 MRS § 4681 et seq.  
17-A MRS § 2(9); 2(12-A)  
20-A MRS §§ 1001(9), (9-A), (15); 6552  
P.L. 2005, ch.307

Cross Reference: ACAA- Harassment and Sexual Harassment of Students  
ADC- Tobacco Use and Possession  
EBCA- Comprehensive Emergency Management Plan  
JIC- Student Code of Conduct  
JICH- Drug and Alcohol Use by Students  
JICK- Bullying and Cyberbullying  
JK- Student Discipline  
JKD- Suspension of Students  
JKE- Expulsion of Students  
JKF- Suspension/Expulsion of Students with Disabilities  
JIH- Questioning and Searches of Students  
KLG- Relations with Law Enforcement Authorities

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