

**WEAPONS, VIOLENCE, AND SCHOOL SAFETY**

The Board believes that students and staff are entitled to learn and work in a school environment free of violence, threats, and disruptive behavior. Students 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 is required to immediately report incidents of prohibited conduct by students to the building administrator for investigation and appropriate action.

**I. PROHIBITED CONDUCT**

Students, staff, and all other persons are prohibited from engaging in the following conduct on school property, while in attendance at school or at any 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 as weapons or designed to inflict bodily harm and/or to threaten, intimidate, coerce, or harass another person. Except as otherwise permitted by this policy. Examples of such articles include, but are not limited to, firearms, BB guns, pellet guns, any other kind of gun, ammunition, explosives, crossbows, brass knuckles, switchblades, knives, chains, clubs, Kung Fu stars, and nunchucks.
- B. Discharge of a firearm within 500 feet of school property.
- C. Possession and/or use of any article, 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 articles include but are not limited to bats, belts, picks, pencils, compasses, objects capable of ignition (e.g., matches, lighters), files, tools of any sort, any replica weapon, or any toy or other item that bears a reasonable resemblance to an actual weapon or is capable of causing injury to another person (e.g. “gel blasters” and water pellet guns).
- D. Violent or threatening 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 using computers or other electronic communications devices or technologies) which threaten, intimidate, or harass others, or which tend to incite violence and/or disrupt the school program; blackmail, extortion, or demands for money or property;
- F. Willful and malicious 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.

## II. **EXCEPTIONS TO PROHIBITIONS ON POSSESSION AND DISCHARGE OF FIREARMS ON SCHOOL PROPERTY**

- A. The prohibition on the possession and discharge of firearms on school property 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 (example: hunter safety course).

## III. **RESPONSE TO POLICY VIOLATIONS/DISCIPLINARY ACTION**

Principals may engage students in restorative intervention and/or discipline students who violate this policy, based upon the facts of each case and in accordance with applicable state and federal laws. Conduct that violates this policy is deliberately disobedient and deliberately disorderly within the meaning of 20-A MRSA § 1001(9) and will be grounds for expulsion, as permitted by law, 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 MRSA § 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.

A student who is determined to have brought a firearm to school or to have possessed a firearm at school shall be expelled for a period of not less than one year, except that this requirement may be 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.

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

#### IV. PSYCHOLOGICAL EVALUATION/RISK ASSESSMENT

The Superintendent is authorized 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 student refuse to permit a requested psychological evaluation, the Superintendent and the Board may draw any reasonable inferences from the student's behavior regarding the risk the student poses to school safety, for the purpose of determining appropriate action.

Legal References: 5 MRSA § 4681 et seq.  
 15 M.R.S.A. §§ 3301-A; 3308(7)(E); 3009  
 17-A MRSA §§ 2(9); 2(12-A)  
 20 USCA § 7151 (Gun-Free School Zones Act of 1990)  
 20 USC § 7961 (Gun-Free Schools Act)  
 20-A MRSA §§ 1001(9); 1001(9-A); 1055(11); 6552

Cross References: ACAA – Harassment and Sexual Harassment of Students  
 ADC– Use and Possession of Tobacco and Electronic Smoking  
 Devices  
 EBCA – Comprehensive Health and Safety and Emergency  
 Management Plan  
 JIC– Student Code of Conduct  
 JICH – Drug and Alcohol Use by Students  
 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  
 KLGA – Relations with School Resource Officers and Other  
 Law Enforcement Authorities