

WEAPONS IN SCHOOLS - Administrative Procedure

The Mt. Blue Regional School District is committed to the enforcement of a "Weapons in Schools" policy that meets all applicable requirements of the federal Gun-Free Schools Act of 1994, in addition to pertinent state laws and regulations. The purpose of the following Administrative Procedure is to effectuate the mandates imposed by federal law in addition to this Unit's policy on Weapons in Schools.

I. **Applicability** - All students, staff and other persons, other than those defined as exceptions in Policy JICIA, are subject to the prohibitions contained in the Mt. Blue Regional School District Weapons in Schools policy. Prohibitions shall apply at all times on school premises, in any school vehicle, at any school-sponsored activity, or at any time or place if the conduct has an adverse effect on the discipline and welfare of the school.

II. **Prohibitions** - The following shall constitute conduct prohibited by this Procedure:

- 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, 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 communication devices or technologies) which threaten, intimidate, or harass others, 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. Bullying behavior, including unwanted physical contact, acts or communications by any means (including by computer or other electronic device) that:

1. damage a student’s property; place a student in reasonable fear of physical harm and/or damage to his/her property; and/or disrupt the instructional program or the orderly operation of the school; and/or
2. is so severe that it creates a hostile educational environment for the student who is bullied.

I. Lewd, indecent or obscene acts or expressions of any kind;

J. Violations of the school unit’s drug/alcohol and tobacco policies;

K. Violations of state or federal laws; and

L. Any other conduct that may be harmful to persons or property.

M. Nothing in this policy shall prevent the Board from approving and offering instructional programs that involve firearms or other weapons (such as bows and arrows) or from allowing firearms or other weapons to be brought to school for specific instructional programs (such as archery or hunter safety). No weapons may be used in instructional programs or brought to school without the prior approval of the Superintendent or his/her designee and implementation of safeguards appropriate to the particular activity.

III. **Administrative Implementation Procedures**

A. Administrators/Principals - Administrators shall take appropriate action for any violation of this policy/procedure including but not limited to student discipline or action by law enforcement officials as appropriate. Administrators will confiscate any article described in this policy/procedure using appropriate measures and, if appropriate, submit the article to a suitable law enforcement agency.

Principals may authorize inspections of student automobiles, clothing, purses, bags, backpacks and other personal belongings when there are reasonable grounds to suspect that the inspection will produce evidence that this policy/ procedure has been violated.

B. School Staff - School personnel shall take appropriate action in the event of an altercation involving violence and/or the use of a weapon. Incidents shall be reported immediately to the appropriate administrator.

IV. **Enforcement**

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 which violates this policy is deliberately disobedient and deliberately disorderly within the meaning of 20-A M.R.S.A. § 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 M.R.S.A. § 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 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.

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

Legal References:

5 MRSA § 4681 et seq.

15 MRSA §§ 3301-A; 3308 (7)(E); 3009

17-A MRSA § 2(9); 2(12-A)

20 USC §8921 (Gun-Free Schools Act of 1994)

20 U.S.C. § 7151 (No Child Left Behind Act)

20-A MRSA §§1001(9), (9-A), (15); 6552

P.L. 2005, ch. 307

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