

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, bullying and other 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 are required to immediately report incidents of prohibited conduct by students to the building administrator/designee 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.

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 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 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. 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.

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.

The Board authorizes the following additional exceptions to the possession and discharge of firearms on school property:

- 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.
- D. “Hunters’ Breakfast” exception: A person who possesses an unloaded firearm that is stored inside a locked vehicle in a closed container, a zipped case or a locked firearms rack while the person is attending a “hunter’s breakfast” or similar event that: 1) is held during an open firearm season established by Maine law for any species of wild bird or wild animal; 2) takes place outside of regular school hours; and 3) is authorized in accordance with the Board’s policy on use of school facilities.
- E. The prohibition on possession and discharge of a firearm does not apply to a person possessing a firearm at a school-operated gun range or a person discharging a firearm as part of a school-sponsored program at a school-operated gun range if the gun range and program are authorized by the Board.

Response to Policy Violations/Disciplinary Action

Principals may engage students in restorative intervention and/or 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. 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.

~~Students who are found~~ 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 JKF.

Psychological Evaluation/Risk Assessment

The Superintendent is authorized to request a psychological evaluation of a student who violates this policy when, in their 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 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 concerning the risk the student poses to school safety for purposes of determining appropriate action.

Staff/Student Training and Procedures

The Superintendent is authorized to institute training programs for staff and students designed to prevent bullying and 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:

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

Cross References:

ACAA - Harassment and Sexual Harassment of Students/Employees
ADC - Tobacco Use and Possession
EBCA - Crisis Response Plan
JFCK – Student Use of Cellular Telephones and Other Electronic Devices
JIC – System-wide Student Code of Conduct
JICH - Drug and Alcohol Use by Students
JICK – Anti Bullying
JK - Student Discipline

JKD - Suspension of Students

JKDA-R Student Suspension Regulation

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

Adopted: January 26, 1993

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