

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/designee 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 or designed to inflict bodily harm and/or to 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. 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 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, and replicas of weapons (including toys);
- C. 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);
- D. Verbal or written statements (including those made on or through a computer) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt the school program;
- E. Willful and malicious damage to school or personal property;
- F. Stealing or attempting to steal school or personal property;

- G. Lewd, indecent or obscene acts or expressions of any kind;
- H. Violations of the school unit's drug/alcohol and tobacco policies;
- I. Violations of state or federal laws; and
- J. Any other conduct that may be harmful to persons or property.
- K. Law enforcement officers in the course of their duties are exempt from Section 1A.

II. DISCIPLINARY ACTION

Principals may 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 MRSA § 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 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.

Students who are found to have brought a firearm to school (as defined by federal law) shall be expelled for a period of not less than one year, unless the Superintendent on a case-by-case basis modifies this requirement.

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. Other violations of this policy may be referred to law enforcement.

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

III. USE OF FIREARMS AND OTHER WEAPONS IN INSTRUCTIONAL ACTIVITIES

Nothing in this policy shall prevent the school system from offering instructional activities related to firearms or other objects that are generally considered weapons (e.g., bows and arrows) or from allowing a firearm or other object generally considered a weapon to be brought to school for instructional activities (e.g. archery, hunter safety) approved by the school system so long as appropriate safeguards have been adopted to ensure student and staff safety. No weapons may

be used in instructional activities or brought to school for instructional activities unless the Superintendent/designee has given specific permission in advance.

IV. NOTIFICATION TEAM/CONFIDENTIALITY

Maine law authorizes law enforcement officers and criminal justice agencies to share with a superintendent or principal information pertaining to a juvenile when the information is credible and indicates an imminent danger to the safety of students or school personnel on school grounds or at a school function. Maine law requires the District Attorney to notify the superintendent when a juvenile is charged with use or threatened use of force or is adjudicated as having committed one or more juvenile crimes that involve the use or threatened use of force.

Within ten days, or immediately if necessary for school safety, the Superintendent shall convene a notification team. The notification team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student's parent/guardian. The notification team shall determine on this basis of need which school employees are entitled to receive information concerning allegations or adjudications of use or threatened use of force. Information received by the Superintendent/designee and disclosed to the notification team and/or disclosed to school employees is confidential and may not become part of the student's educational record.

The Superintendent shall ensure that confidentiality training is provided to all school employees who have access to this information.

V. PSYCHOLOGICAL EVALUATION/RISK ASSESSMENT

The following section is optional language that Boards may want to consider. MSMA strongly recommends that Boards consult with their legal counsel prior to adopting this section.

The Board authorizes the Superintendent to request an immediate psychological evaluation of a student who engages in conduct prohibited by 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

The Superintendent is also authorized to request psychological evaluations of students who have been identified as posing a substantial risk of violent behavior.

All such evaluations shall be performed at the school unit's expense.

If the parent/guardian and/or student refuses 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.

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 Schools Act)
20-A MRSA §§ 1001(9); 1001(9-A); 1055(11); 6552

Cross References: ACAA – Harassment and Sexual Harassment of Students
ADC - Tobacco Use and Possession
EBCA - Crisis Response Plan
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

Adopted: January 12, 2010