

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The Regional School Unit 50 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 are 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 as weapons 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, 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 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);
- 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.

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.

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 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, 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 concerning the risk the student poses to school safety for the 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 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

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