

## **WEAPONS, VIOLENCE, BULLYING AND SCHOOL SAFETY**

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

### **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/use of articles commonly used or designed to inflict bodily harm/to threaten, intimidate, coerce or harass another person, except when used in an approved instructional activity such as archery. 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 nun chucks;
- B. Use of any object, although not necessarily designed to be a weapon, to inflict bodily harm/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/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;
- D. Verbal or written statements (including those made on or through a computer or other electronic device) 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.
- E. Willful and malicious damage to school or personal property;
- F. Stealing or attempting to steal school or personal property;
- G. 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 their 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.
- H. Lewd, indecent or obscene acts or expressions of any kind;
- I. Violations of the school unit's drug/alcohol/tobacco policies;
- J. Violations of state or federal laws; and
- K. Any other conduct that may be harmful to persons or property.

### **Disciplinary Action**

Principals may suspend/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 this requirement is modified by the Superintendent on a case-by-case basis.

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.

### **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 weapons to be brought to school for specific instructional activities (e.g., archery or 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 programs or brought to school for instructional activities without the prior approval of the Superintendent/designee and implementation of safeguards appropriate to the particular activity.

### **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.

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.

**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.

- Legal Reference:      20 USCA § 8921 (Gun-Free Schools Act of 1994)  
                                 5 MRSA § 4681 et seq.  
                                 17-A MRSA §§ 2(9); 2(12-A)  
                                 20-A MRSA §§ 1001(9); 1001(9-A); 6552  
                                 15 M.R.S.A. §§ 3301-A; 3308(7)(E); 3009  
                                 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 Free Schools  
                          GBED – Tobacco Free Workplace  
                          JICDA – Student Code of Conduct  
                          JICH - Drug and Alcohol Use by Students  
                          JK - Student Discipline  
                          JKD - Suspension of Students  
                          JKE - Expulsion of Students  
                          JKF – Disciplinary Removal of Students with Disabilities  
                          JIH – Student Interrogations, Searches, and Arrests

DATE ADOPTED: July 1, 2003

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