

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

The School Committee 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 School Committee 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 **[local units should designate appropriate personnel]** for investigation and appropriate action.

### **Prohibited Conduct**

Students 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.

### **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 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 School Committee Policy JKF.

**[The following section is optional language which School Committees may want to consider. MSMA strongly recommends that School Committees consult with their legal counsel prior to adopting this section.]**

#### **[OPTIONAL SECTION: Psychological Evaluation/Risk Assessment**

**The School Committee authorizes the Superintendent to request an immediate 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.**

**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 parents/guardians and/or student refuse to permit a requested psychological evaluation, the Superintendent and the School Committee 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: 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

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: July 19, 1994

Revised: \_\_\_\_\_