

WEAPONS, VIOLENCE, BULLYING 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 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 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 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);
- C. 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;
- 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, make demands that constitute 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 of any kind 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

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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 and tobacco policies;
- J. Violations of state or federal laws; and
- K. Any other conduct that may be harmful to persons or property.
- L. Use of Firearms or Other Weapons in Approved Instructional Activities

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.

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 M.R.S.A. § 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 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 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. Federal Law.

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.

The Board 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.

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Psychological Evaluation/Risk Assessment

The Superintendent or designee is also authorized to request psychological evaluation 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 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: 20 USCA § 8921 (Gun-Free Schools Act of 1994)
20 U.S.C. § 7151 (No Child Left Behind Act)
5 MRSA § 4681 et seq.
17-A MRSA §§ 2(9); 2(12-A)
20-A MRSA §§ 1001 (9); 1001 (9-A); 6552
P.L. 2005, ch. 307

Cross References: ACAA – Harassment and Sexual Harassment of Students
ADC – Tobacco Use and Possession
EBCA – Comprehensive Emergency Management Plan
JICH – Drug and Alcohol Use by Students
JK – Student Discipline
JKD – Student Detention/Suspension
JKE – Expulsion of Students
JKF – Disciplinary Removals of Students with Disabilities
JIH – Questioning and Searches of Students
KLG – Relations with Law Enforcement Authorities

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