

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The RSU 26 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, except as otherwise permitted by this policy. 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.
- 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 Superintendent

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 JFK.

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

Adopted: 1/10/2023