

JICIA: WEAPONS, VIOLENCE AND SCHOOL SAFETY		File: JICIA
Section J: Students	Adopted: 11/4/04	Last Revised: October 19, 2023

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The MECDHH/GBSD 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 their Coordinator or Director for investigation and appropriate action.

1. Prohibited Conduct

- a. 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:
 - i. 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, cross-bows, brass knuckles, switchblades, knives, chains, clubs, Kung Fu stars and nunchucks;
 - ii. 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);
 - iii. 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);
 - iv. 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

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the school program;

- v. Willful and malicious damage to school or personal property;
- vi. Stealing or attempting to steal school or personal property;
- vii. Lewd, indecent or obscene acts or expressions of any kind;
- viii. Violations of the school unit's drug/alcohol and tobacco policies;
- ix. Violations of state or federal laws; and
- x. Any other conduct that may be harmful to persons or property.

2. 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.

3. Disciplinary Action

Coordinators and Directors may engage students and/or staff in restorative intervention and/or discipline students and/or staff 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 or dismissal 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 Executive Director on a case-by-case basis in writing. A staff member who is determined to have brought a firearm to school or possessed a firearm at school may be dismissed from employment .

All firearms violations shall be referred to law enforcement authorities as required by

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law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Executive Director.

Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations and Board Policy JKF.

4. Psychological Evaluation/Risk Assessment

The Executive Director 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 the MECDHH/GBSD programs 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 Executive Director 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: 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

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