

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 other disruptive behavior. Students, school staff, volunteers and visitors are expected to conduct themselves with respect for others and in accordance with Maine Indian Education Joint School Committee policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

School staff and volunteers are required to immediately report incidents of prohibited conduct to the building administrator 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.

1. Prohibited Conduct

Students, school staff, volunteers and visitors 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. 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 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);
- D. 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;

- E. Verbal or written statements (including those made on or through a computer or other electronic device) which threaten, intimidate, or harass others; verbal or written statements which tend to incite violence and/or disrupt the school program; blackmail; extortion; or demands for money or property;
- F. Intentional 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.

2. Exceptions to Prohibition Against Possession and Use of Weapons on School Property

- A. The prohibition on the possession and discharge of a firearm 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 School Committee, for which appropriate safeguards have been adopted by the School Committee;
- C. A person who possesses an unloaded firearm that is stored inside a locked vehicle in a closed container, a zipped case or a locked firearms rack while the person is attending a hunter's breakfast or similar event that: (1) is held during an open firearm season established under 12 MRS, Part 13 for any species of wild bird or wild animals; (2) takes place outside of regular school hours; and (3) is authorized in accordance with the School Committee's policy on use of school facilities.

3. Disciplinary Action

A. Students

Principals may discipline, 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 MRS § 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 MRS § 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 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.

All firearms violations shall be referred to tribal law enforcement authorities as required by law. Other violations of this policy shall be referred to tribal 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 Committee Policy JKF.

B. School Staff and Volunteers

School staff members who violate this policy shall be disciplined in accordance with any applicable school unit procedure.

Volunteers who violate this policy may, at the Superintendent and building administrator's discretion, have their volunteer authorization revoked or restricted, depending on the circumstances of the particular case.

Violations of this policy may be referred to tribal law enforcement authorities.

C. Visitors

Visitors who violate this policy may be required to leave school property and tribal law enforcement may be notified of violations.

P. 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 school committees 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.

P. Staff/Student Training and Procedures

The Superintendent is authorized to institute training programs for staff and students designed to 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 USC § 7151 (Gun-Free Schools Act)
5 MRS § 4681 et seq.
17-A MRS § 2(9); 2(12-A)
20-A MRS §§1001(9), (9-A), (15); 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
JFCK – Student Use of Cellular Telephones and Other Electronic Devices
JIC – Student Code of Conduct
JICH - Drug and Alcohol Use by Students
JICK – Bullying and Cyberbullying
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
JKF - Suspension/Expulsion of Students with Disabilities
JIH - Questioning and Searches of Students

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