

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The Lubec Elementary School 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. [OPTIONAL: 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, 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 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;
- 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.

[NOTE: Maine law (P.L. Chapter 614, enacted in the legislative session that ended April 12, 2010) provides for certain exceptions to the possession of firearms on school property. Maine law explicitly permits law enforcement officials to possess and discharge firearms on school property. This is reflected in Section II, (A.) below. All of the other exceptions are optional.]

As in the case of students who violate this policy, all firearm violations by adults would be referred to law enforcement authorities and other use or possession of weapons on school grounds referred to law enforcement authorities at the Superintendent's discretion.]

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.

The Board authorizes the following additional exceptions to the possession and discharge of firearms on school property:

- A. "Hunters' Breakfast" exception: 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 by Maine law for any species of wild bird or wild animal; 2) takes place outside of regular school hours; and 3) is authorized in accordance with the Board's policy on use of school facilities.]

III. 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 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 JKF.

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

Lubec School Committee

Adopted 02/12/15

Revised