CSD 13 SCHOOL BOARD
POLICY NUMBER: 5.04 (NEPN/NSBA Code: JICIA)
Adopted: 11/15/94
Previous Revisions: 9/5/00, 1/8/02, 6/5/12, 10/01/19
Revised: 10/3/23

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The CSD 13 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 School Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

School staff members are required to immediately report incidents of prohibited conduct by students to the Principal or designee in the Principal's absence 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 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, 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);

E. Verbal or written statements (including those made on or through a computer or other electronic communications devices or technologies)

which threaten, intimidate, or harass others, which may 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. USE OF FIREARMS AND OTHER WEAPONS IN INSTRUCTIONAL ACTIVITIES

The prohibition on the possession and discharge of firearms on school property does not apply to law enforcement officials.

Nothing in this policy shall prevent the school system from offering instructional activities related to firearms or other objects that are generally considered weapons (e.g., bows and arrows) or from allowing a firearm or other object generally considered a weapon to be brought to school for instructional activities (e.g., archery, hunter safety) approved by the school system so long as appropriate safeguards have been adopted to ensure student and staff safety. No weapons may be used in instructional activities or brought to school for instructional activities unless the Superintendent/designee has given specific permission in advance.

III. RESPONSE TO POLICY VIOLATIONS/DISCIPLINARY ACTION

Principals may engage students in restorative intervention and/or discipline students who in violate this policy, based upon the facts of each case and in accordance with applicable state and federal laws. The Principal 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 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.

Students who are found to have brought a firearm (as defined by federal law) to school, shall be expelled for a period of not less than one year, unless the Superintendent, on a case-by-case basis, modifies this requirement.

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 School Board Suspension/Expulsion of Students with Disabilities Policy 10.08.

V. PSYCHOLOGICAL EVALUATION/RISK ASSESSMENT

The School 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 or return to school after a suspension or expulsion.

If the parents/guardians and/or student refuse to permit a requested psychological evaluation, the Superintendent and the School 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.

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

CSD School Handbooks

Harassment Policy 1.08
Student Conduct Expectations Policy 10.6
Suspension and Expulsion of Students Policy 10.7
Student Chemical Health Policy 10.19E
Hazing Policy 1.12
Suspension/Expulsion of Students With Disabilities Policy 10.8
Emergency Evacuation Policy 5.03C
Bomb Threat Policy 5.03A
Tobacco Use and Possession Policy 1.14