



WEAPONS, VIOLENCE AND SCHOOL SAFETY

The Regional School Unit-24 (RSU) Board (RSUB) believes that RSU students and staff are entitled to learn and work in an environment free of violence, threats and disruptive behavior. RSU students are expected to conduct themselves with respect for others and in accordance with RSU policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

RSU staff members are required to immediately report incidents of prohibited conduct by students to the building administrator (BA)/designee for investigation and appropriate action.

1. Prohibited Conduct

Students are prohibited from engaging in the following conduct on RSU property, while in attendance at school or at any RSU-sponsored activity, or at any time or place that such conduct directly interferes with the operations, discipline or general welfare of the RSU:

- 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 nun chucks;
- 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 on or through a computer, cellular phone or other electronic means) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt any RSU program;
- E. Willful and malicious damage to RSU or personal property;
- F. Stealing or attempting to steal RSU or personal property;
- G. Lewd, indecent or obscene acts or expressions of any kind;
- H. Violations of the RSU drug/alcohol and/or tobacco policies;
- I. Violations of state or federal laws; and
- J. Any other conduct that may be harmful to persons or property.

2. Disciplinary Action

The RSUB authorizes all BA's to suspend students for up to ten (10) days and/or refer the student to the Superintendent for possible expulsion those 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 RSU. 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, on to any RSU property, shall be expelled for a period of not less than one year, except that the RSUB may authorize the superintendent to modify the requirement for expulsion of a student on a case-by-case basis.

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 RSUB Policy JKF.

3. Psychological Evaluation/Risk Assessment

The RSUB 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 RSU safety if the student were to remain in school.

The Superintendent is also authorized to request psychological evaluations of RSU students who have been identified as posing a substantial risk of violent behavior.

All such evaluations shall be performed at RSU expense.

If the parents/guardians and/or student refuse to permit a requested psychological evaluation, the Superintendent and the RSUB may draw any reasonable inferences from the student's behavior concerning the risk the student poses to the safety of the RSU for purposes of determining appropriate action.

4. Exceptions

The provisions under section 2 do not apply to the following:

- A. The prohibition on the possession and discharge of a firearm does not apply to law enforcement officials.
- B. The prohibition on the possession of a firearm does not apply to the following persons, if the possession is authorized by a written policy adopted by the RSUB:
 1. A person who possesses an unloaded firearm for use in a supervised educational program approved and authorized by the RSUB and for which the RSUB has adopted appropriate safeguards to ensure student safety; and
 2. 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:
 - a. Is held during an open firearm season established under Title 12, Part 13 for any species of wild bird or wild animal;
 - b. Takes place outside of regular school hours; and
 - c. Is authorized by the RSUB.

C. The prohibition on possession and discharge of a firearm does not apply to a person possessing a firearm at an RSU operated gun range or a person discharging a firearm as part of an RSU sanctioned program at an RSU-operated gun range if the gun range and the program are authorized by a written policy adopted by the RSUB.

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(A-1,A-2)

Cross References: ACAA - Harassment and Sexual Harassment of Students
ADC - Tobacco Use and Possession
EBCA - Crisis Response Plan
JICH – Chemical Health
JICHA - Risk Assessment Team
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
JKF - Disciplinary Removal of Students with Disabilities
KLG - Relations with Law Enforcement Authorities

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