

REGION TWO SCHOOL OF APPLIED TECHNOLOGY

File: JICIA

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The Cooperative Board of Region Two School of Applied Technology believe that students and staff are entitled to learn and work in an environment free of violence, threats and disruptive behavior. Students are expected to conduct themselves with respect for others and in accordance with Cooperative Board policies, school rules, reasonable unwritten behavior expectations and applicable state and federal laws.

School staff is required to immediately report incidents of prohibited conduct by students to the Director for investigation and appropriate action.

A. 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 Region Two.

1. Possessing and/or using 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, throwing stars and nunchucks;
2. Using 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);

3. Engaging in 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);
4. Making 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;
5. Causing willful and malicious damage to Region Two, Region Two property, or personal property;
6. Stealing or attempting to steal Region Two or personal property;
7. Performing lewd, indecent or obscene acts or expressions of any kind;
8. Violating Region Two's drug, alcohol or tobacco policies;
9. Violating state or federal laws; or
10. Engaging in any other conduct that may be harmful to persons or property.

All firearm violations whether by adults or students, will be referred to law enforcement authorities. Use or possession of weapons on Region Two grounds will be referred to law enforcement authorities at the Director's discretion.

B. EXCEPTIONS TO PROHIBITIONS ON POSSESSION AND DISCHARGE OF FIREARMS ON REGION TWO PROPERTY

The prohibition on the possession and discharge of firearms on Region Two property does not apply to law enforcement officials acting in the performance of their duties.

Through this policy, the Cooperative Board authorizes the following additional exceptions to the possession and discharge of firearms on Region Two property:

a. Possession of firearms used in educational programs

The prohibition on the possession of a firearm does not apply to a person who possesses an unloaded firearm for use in a supervised educational program approved and authorized by the Cooperative Board and for which the Cooperative Board has adopted appropriate safeguards to ensure student safety.

Nothing in this policy shall prevent Region Two from offering or approving instructional activities related to firearms (e.g., hunter safety). Any proposal to introduce an instructional activity involving firearms must be submitted in writing to the Director, who will make a recommendation to the Cooperative Board. Such proposal must state the objectives of the activity and describe the safeguards that will be put in place to ensure student and staff safety.

No firearms may be used in instructional activities or brought to Region Two for instructional activities unless the Director has given permission in advance.

b. "Hunters' Breakfast" exception

The prohibition on possession of a firearm does not apply to a person who possesses an unloaded firearm that is stored inside a locked vehicle in a closed container, a zippered case or a locked firearms rack while the person is attending a "hunters' breakfast or similar event that:

1. Is held during an open firearm season established by a Maine law for any species of wild bird or wild animal;
2. Takes place outside of regular Region Two hours; and
3. Has been authorized by the Cooperative Board.

C. USE OF OTHER WEAPONS IN INSTRUCTIONAL ACTIVITIES

Nothing in this policy shall prevent Region Two from offering instructional activities using objects other than firearms that are generally considered weapons (e.g., bows and arrows) or from allowing an object generally considered a weapon to be brought to Region Two for supervised instructional activities (e.g., archery, boat building) approved by the Cooperative Board so long as the Cooperative Board has adopted appropriate safeguards to ensure student and staff safety.

Any proposal to introduce an instructional activity involving such objects must be submitted in writing to the Director, who will make a recommendation to the Cooperative Board. Such proposal must state the objectives of the activity and describe the safeguards that will be put in place to ensure student and staff safety.

No weapons or objects that are generally considered weapons may be used in instructional activities or brought to Region Two for instructional activities unless the Director has given specific permission in advance.

D. DISCIPLINARY ACTION

The Director may suspend and/or recommend expulsion of students who violate this policy based upon the facts of each case 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 Region Two. 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 Region Two or to have possessed a firearm at Region Two shall be expelled for a period of not

less than one (1) year, except that this requirement may be modified by the Director 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 Director.

E. NOTIFICATION TEAM/CONFIDENTIALITY

Maine law authorizes law enforcement officers and criminal justice agencies to share with a Director, information pertaining to a juvenile when the information is credible and indicates an imminent danger to the safety of students or staff on Region Two grounds or at a Region Two function. Maine law requires the District Attorney to notify the Director when a juvenile is charged with use or threatened use of force or is adjudicated as having committed one or more juvenile crimes that involve the use or threatened use of force.

Within ten (10) days or immediately if necessary for Region Two safety, the Director shall convene a notification team. The notification team must include the Director or administrator of the building where the student attends, at least one classroom instructor to whom the student is assigned, a guidance counselor, and the student's parent or guardian. The notification team shall determine on this basis of need which Region Two employees are entitled to receive information concerning allegations of adjudications of use or threatened use of force. Information received by the Director and disclosed to the notification team and/or disclosed to Region Two employees is confidential and may not become part of the student's educational record.

The Director shall ensure that confidentiality training is provided to all Region Two employees who have access to this information.

F. PSYCHOLOGICAL EVALUATION/RISK ASSESSMENT

The Cooperative Board authorizes the director to request an immediate psychological evaluation of a student who engages in conduct prohibited by this policy when, in his/her opinion, such an evaluation will assist in assessing the risk that the student poses to Region Two safety if the student were to remain in school.

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

All such evaluations shall be performed at Region Two's expense.

If the parent/guardian and/or student refuses to permit a requested psychological evaluation, the Director and the Cooperative Board may draw any reasonable inferences from the student's behavior concerning the risk that the student poses to Region Two safety for purposes of determining appropriate action.

Legal Reference: 5 MRSA § 4681 et seq.
15 MRSA §§ 3301-A; 3308(7)(E); 3009
17-A MRSA §§ 2(9); 2(12-A)
20 USCA § 7151 (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 - Tobacco Use and Possession
EBCA - Crisis Response Plan
JICH - Drug and Alcohol Use by Students
JK - Student Discipline

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