

The Monhegan School Committee 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 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 Superintendent for appropriate action.

I. PROHIBITED CONDUCT

In an effort to ensure a safe environment, 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. Knowing possession or use 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, crossbows, "brass" knuckles, switch-blades, knives, chains, clubs, numchucks, and Kung Fu "stars".
- B. Discharge a firearm within 500 feet of school property.
- C. Use of any object as a weapon, 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, objects capable of ignition (e.g. matches, lighters), tools of any sort, articles of clothing, combs, files, compasses, scissors, and realistic replicas of weapons (including some 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), stalking or blocking access to school property or facilities;
- E. 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; 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. 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.

III. RESPONSE TO POLICY VIOLATIONS/DISCIPLINARY ACTION

The Superintendent may direct the teacher to 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, as permitted by law, 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 School Committee Policy JKF.

V. 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 Committee may draw any reasonable inferences from the student's behavior concerning the risk the student poses to school safety for the purposes of determining appropriate action.

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

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