

## **DANGEROUS WEAPONS IN SCHOOL**

Possession, or use of a weapon on school property, or at a school-sponsored event, is prohibited. If any person uses or is found to be in possession of a weapon on school property at any time or at any school-sponsored activity not on school property, he/she is subject to administrative action which may include suspension, expulsion, and/or legal action in compliance with the Gun Free Schools Act of 1994, which states that a student who is determined to have brought a firearm to school must be expelled from school for a period of not less than one year, except that the school board may authorize the superintendent to modify the requirement for expulsion of a student on a case-by-case basis. The federal law requires that school officials report the incident to the criminal justice or juvenile delinquency system, and that state education agencies and therefore local education agencies provide annual documentation on the incidents.

A weapon is defined as:

1. An object or substance used or designed to inflict bodily harm or to threaten other persons. Examples include, but are not limited to, firearms, artificial knuckles, knives, chains, clubs, throwing stars, and air guns, or
2. An object or substance designed for other purpose which is used in a manner to inflict bodily harm or to threaten other persons. Examples include, but are not limited to, belts, combs, pencils, files, compasses, scissors, chemicals, and sprays.

An object or substance, presented in a concealed or open manner as a weapon, shall be presumed to be a weapon. This policy is not to be interpreted as preventing the teaching of gun or hunter safety by a qualified instructor on school property. References to school-sponsored activities do not include a school-sponsored rifle/pistol club or team providing qualified adult supervision.

### **ADMINISTRATIVE PROCEDURES RELATED TO DANGEROUS WEAPONS**

#### **I. Procedures for student possession or use of a weapon**

The administrator shall:

- A. verify the offense, notify police, and take reasonable steps to confiscate the weapon;
- B. meet with the student;
- C. notify parent(s)/guardian(s) and the superintendent;
- D. provide for out-of-school suspensions and/or institute expulsion;

- E. the administrator shall have the authority and discretion to deviate from the disciplinary measures set forth in D above.

**II. Procedures when a school administrator is not present:**

**School personnel who witness a violation of this policy shall:**

- A. verify the offense and notify the police;
- B. remove the student from the function and/or return the student to the school grounds, retaining the student while following steps C-G below;
- C. Call the student's parent(s)/guardian(s) to assume physical responsibility;
- D. If the parent(s)/guardian(s) is(are) not available, call the person listed on the student's emergency card to assume physical responsibility;
- E. If none of the individuals listed in steps C & D are available to assume physical responsibility and it is after school hours, call the appropriate law enforcement agency;
- F. If none of the other alternatives are available, an employee may transport the student home if accompanied by another adult;
- G. Notify the appropriate school administrator of the incident.

**III. Role of the School Staff**

**Any staff member with a reasonable basis to suspect a student has violated this policy must:**

- A. Take necessary action, not otherwise prohibited by school policy, to secure the health and safety of the student(s) involved.
- B. Report the incident to the appropriate administrator.

**Adopted: 8/10/94**

**Department of Public Schools, Augusta, Maine**

**Cross Reference: JGD Student Suspension/Expulsion, Augusta Schools Policy  
Maine Law, Title 20A, MRSA, Section 1001, Sub-section 9  
Maine Law Title 17A, Section 2, Sub-section 9  
Maine Law Title 17A, Section 2, Sub-section 12A  
Gun Free Schools Act of 1994, Title XIV - Part F of IASA-Public Law 103-382.**