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**An Act To Align the Duties of School Boards Concerning Student Safety with the Requirements of the Federal Gun-Free Schools Act and To Prohibit the Discharge of Firearms within 500 Feet of Public and Private School Properties**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §1001, sub-§9-A**, as enacted by PL 1995, c. 322, §5, is amended to read:

**9-A. Students expelled or suspended under the requirements of the federal Gun-Free Schools Act.** The school boards shall adopt a policy for expelling a student who is determined to have brought a firearm, as defined in 18 United States Code, Section 921, to school or to have possessed a firearm at school and for referring the matter to the appropriate local law enforcement agency.

A. A student who is determined to have brought a firearm to school or to have possessed a firearm at school under this subsection 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. A decision to change the placement of a student with a disability must be made in accordance with the federal Individuals With Disabilities Education Act, 20 United States Code, Section 1400 et seq.

B. Nothing in this subsection prevents a school board from:

(1) Offering instructional activities related to firearms or from allowing a firearm to be brought to school for instructional activities sanctioned by the district; or

(2) Providing educational services in an alternative setting to a student who has been expelled.

C. In accordance with the proper investigation and due process provisions required in subsection 9, a principal may suspend immediately for good cause a student who is determined to have brought a firearm to school or to have possessed a firearm at school under this subsection.

**Sec. 2. 20-A MRSA §6552, sub-§1**, as amended by PL 2007, c. 67, §1, is further amended to read:

**1. Prohibition.** A person may not possess a firearm on public school property or discharge a firearm within 500 feet of public or private school property. For purposes of this subsection, public school property includes property of a community college that adopts a policy imposing such a prohibition.

**SUMMARY**

An Act To Align the Duties of School Boards Concerning Student Safety with the Requirements of the Federal Gun-Free Schools Act and To Prohibit the Discharge of Firearms within 500 Feet of Public and Private School Properties

This bill requires school boards to adopt policies consistent with federal legislation on gun-free schools.

This bill also clarifies that the prohibition of the discharge of firearms within 500 feet of school property applies to both public school property and private school property.