

The Board of Education recognizes that the presence of weapons in school not only creates unacceptable risks of injury or death, but also creates a climate that undermines the educational purposes of the schools. Accordingly, it is the policy of the Board of Education to forbid the possession, custody, and use of weapons by unauthorized persons in or around school property.

This policy is enacted to implement the requirements of the federal Gun Free Schools Act of 1994, 33 U.S.C. § 3351 (a)(1) and Gun Free School Zones Act of 1990, 18 U.S.C. §§ 921-924, and it is the intention of the Board that it be interpreted to conform to provisions of those referenced laws.

## **I. DEFINITIONS**

- A. **Weapon**: For purposes of this policy, a "weapon" is any firearm, knife, explosive, or other object, even if manufactured for a nonviolent purpose, that has a potentially violent use, or any "look-a-like" object that resembles an object that has a potentially violent use, if, under the surrounding circumstances, the purpose of keeping or carrying the object is for use, or threat of use, as a weapon.
- B. **Firearm**: For purpose of this policy, and for purposes of compliance with the federal Gun Free Schools Act, a "firearm" is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer, or any destructive device.
- C. **School Zone**: For purposes of this policy, and for purposes of conformity with the Gun Free School Zones Act of 1990, a "school zone" is any area in or on the grounds of a school or within a distance of 1,000 feet from the grounds of a school.

## **II. PROHIBITIONS**

It is the policy of the Board that no student shall bring a weapon into a school zone, nor carry or keep any weapon in a school zone or while attending or participating in any school activity, including during transportation to or from such activity.

## **III. ENFORCEMENT**

- A. This policy shall be enforced according to procedures prescribed by State Board of Education Regulation 81-3, as amended, and the policies of the District.
- B. Any student who brings a firearm or weapon to a school or within a school zone shall, in addition to penalties imposed under school Board policy, be referred to appropriate law enforcement authorities for prosecution.

**IV. PENALTIES FOR VIOLATIONS**

- A. Any student found to be in violation of this policy shall be subject to discipline, including long-term suspension and expulsion.**
- B. In compliance with the federal Gun Free Schools Act, any student found to be in violation of this policy due to possession of a firearm, as defined in this policy, shall, at a minimum, be expelled from school for a period of not less than one year, provided, that the superintendent or the Board of Education may modify such penalty in appropriate cases in their discretion.**

**V. THIS POLICY SHALL BE INTERPRETED IN A MANNER CONSISTENT WITH THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA).**

- A. In accordance with the provisions of 20 U.S.C. § 1415e(3)(B) of the IDEA, a child with a disability who is determined to have brought a weapon to a school under the jurisdiction of the school Board may be placed in an interim alternative educational setting as specified by the IEP team.**
- B. If the parent or guardian requests a due process hearing, the child shall remain in the alternative educational setting during the pendency of such proceedings, unless the parents and school officials agree otherwise.**