

STUDENTS

Series 500

Policy Title _____ Weapons _____

Code
No. _____ 502.06 _____

The board believes weapons, other dangerous objects and look-a-likes in school districts facilities cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

School district facilities are not an appropriate place for weapons or dangerous objects and look-a-likes. Weapons and other dangerous objects and look-a-likes will be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

Parents of students found to possess weapons or dangerous objects or look-a-likes on school property are notified of the incident. Possession or confiscation of weapons or dangerous objects will be reported to the law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to school or knowingly possessing firearms at school will be expelled for not less than one year. The superintendent has the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Weapons under the control of law enforcement officials are exempt from this policy. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes. Such a display will also be exempt from this policy. It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference:

No Child Left Behind, Title IV, Sec. 4141, P.L. 107-110 (2002).

Improving America's Schools Act of 1994, P.L. 103-382.

18 U.S.C. § 921 (2006).

McClain v. Lafayette County Bd. Of Education, 673 F.2d 106 (5th Cir. 1982).

Iowa Code §§ 279.8; 280.21B; 724 (2009).

281 I.A.C. 12.3(6)

Cross Reference:

502.00 Student Rights and Responsibilities

503.00 Student Discipline

507.00 Student Health and Well-Being

Date of Adoption: _____ March 16, 2010 (Revised) _____

Related _____ Administrative _____ Rules _____ and _____ Regulations: _____

This regulation sets forth the definition and operational procedure for administering the Weapons Policy. The definition of a weapon is set forth as follows:

Any device which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, or from which a destructive device may be readily assembled.

Any pistol, revolver, rifle, shotgun and other firearm.

Any explosive, incendiary, or poison gas

- (1) bomb, homemade;
- (2) grenade;
- (3) rocket having a propellant of more than four ounces;
- (4) missile having an explosive or incendiary charge of more than one-quarter ounce;
- (5) mines, or similar device;
- (6) ammunition

Knives and blades include, but are not limited to, (use for offensive purposes, including revolver, or other firearm), dagger, razor, stiletto, switchblade knife, or other knives; in general, similar objects bearing a sharpened edge tapered for cutting or slicing.

In summary, a "dangerous weapon" is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon human beings when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon.

Students who have been suspended or expelled under the weapons policy shall be able to continue school involvement as set forth in the district's At Risk Plan and 504 guidelines. A disabled or special education student who brings a dangerous weapon to school may be placed in an alternative setting for up to 45 days. Students with disabilities have the right to continue education. A modification to the one year mandatory expulsion will be considered in the case of a disabled student.

Look-a-likes most often are toy weapons. These look-a-likes will be considered weapons and will not be tolerated in the schools. A student who possesses a look-a-like will be subject to disciplinary actions which may include suspension and/or expulsion.

Students may not discharge a firearm on school property or at a school activity for any reason. Any student knowingly possessing or using non-explosive firearms, toy or look-a-like weapon on school property or at a school-sponsored activity shall be subject to suspension or expulsion just as if the toy or look-a-like were the dangerous weapon it resembles.

Hunting guns and rifles fall under the weapons policy. They are not to be transported to school, nor are they to be on school grounds. It is prohibited to have hunting rifles or shotguns in cars that are parked on school grounds.

Students may not possess, use, or store a firearm or any part thereof or any other weapon on school property or at a school activity for any reason.

Possession includes but is not limited to storage in a student's locker, desk, book bag, purse, coat, jacket, or other clothing, car, book bag, or other container or area of confinement used by the student whether personal or school owned.

Students who have knowledge or a belief of the existence of a weapon on school grounds or at a school activity shall promptly report to a school official. Failure to report will be grounds for suspension or expulsion from school.

Weapons or other dangerous objects may be displayed within the school for educational purposes. This may be done by an adult only. Examples where this waiver will apply include hunter safety classes, demonstration by a staff member, law enforcement officer, military personnel and when approved, by the principal of schools.

All dangerous objects, weapons and look-a-likes will be confiscated immediately. Dangerous objects and weapons will be turned over to law enforcement officials. The students will forfeit all rights of ownership of the dangerous object, weapon or look-a-like.