

SANBORN REGIONAL SCHOOL DISTRICT

SRSD File: JICI

WEAPONS IN THE SCHOOLS

Statement of Purpose:

The Sanborn Regional School District has a zero tolerance for bringing weapons into its schools.

This policy complies with the requirements of the Gun-Free Schools Act of 1994 and establishes procedures for enforcing RSA 189, 193, and 193-D and the provisions of Department of Education Administrative Rule 317, et seq., relative to disciplinary action for gross misconduct by a pupil in a safe school zone, including possessing a firearm and/or other dangerous weapon.

Statement of Policy:

Dangerous weapons are not permitted on school property at any time. Visitors, faculty, staff, and pupils are prohibited from bringing any weapons, whether visible or concealed, into any school building, onto school property or a school bus, or to any school-sponsored event. Swift and speedy disciplinary action shall be taken in accordance with the mandates of this policy and its procedures to enhance the safety of all pupils within the school district.

Any pupil who is determined to have brought a weapon to school in violation of this policy shall be deemed to have committed an act of gross misconduct. Such an act of gross misconduct shall result in both notification of the local police and disciplinary action in accordance with the severity of the incident as outlined in RSA 193:13, II and III (statutes dealing with expulsions for gross misconduct, weapons violations, etc.).

The School Board shall consider the age and maturity of the student, the intent of the action, and the student's prior disciplinary record in determining the appropriate disciplinary action. Students who come forward voluntarily in such cases may receive consideration of that fact.

Any pupil who sells, has in his/her possession with intent to sell any stiletto, switch knife, blackjack, dagger, dirk-knife, slung shot or metallic knuckles (as defined by RSA 159:16), or containers containing chemicals such as pepper gas or mace on school property, on school buses, or at a school-sponsored function, shall be expelled from school by the School Board for a period of not less than twelve (12) months.

Notwithstanding the above, any pupil who brings or possesses a firearm as defined by section 921 of Title 18 of the US Code in a safe school zone as defined in RSA 193-D:1, without written authorization from the superintendent or designee shall be expelled from school by the local school board for a period of not less than 12 months.

Reporting Procedures:

Pursuant to RSA 193-D:4, I and II, a written report is required and will be made for all violations of this policy. This report is to be completed by the school principal and filed with the local law enforcement authority and the Commissioner's office at the Department of Education within 48 hours of receipt of information in accordance with RSA 193-D:4, unless the waiver in RSA 193-D:5 applies.

Ed 317.06 Student with an Educational Disability:

- (a) Any suspension or expulsion of a pupil with an educational disability as defined in Ed 1102.31 shall be in accordance with Ed 1119.11.
- (b) If, under the provisions of Ed 1119.11(c), the special education placement team determines that the behavior leading to the suspension or expulsion is not a direct result of the pupil's educational disability, sections Ed 317.01 through Ed 317.05 shall apply.
- (c) In the case of a pupil with an educational disability who is determined to have brought a firearm or other dangerous weapon into a safe school zone, the federal requirement of section 615(e) of Public Law 101-476 shall apply, and the student may be placed in an interim alternative educational setting for the time periods determined by that Public Law.

Definitions:

Expulsion means the permanent denial of the pupil's attendance at school for any of the reasons listed in RSA 193:13, II and III.

Firearm means any firearm or weapon as defined in section 921 of Title 18 of the US code.

Weapons may include, but are not limited to firearms, explosives, incendiaries, BB guns or BB rifles, martial arts weapons (as defined by RSA 159:24), electronic defense weapons (as defined by RSA 159:20), stiletto, switch knife, blackjack, dagger, dirk-knife, slung shot, metallic knuckles, billies, or other dangerous weapons (as defined by RSA 159:15 and 16), pistol cane or sword cane (as defined by RSA 159:19-a), or containers containing chemicals such as pepper gas or mace.

Gross misconduct means an act which:

1. Results in violence to another's person or property;
2. Poses a direct threat to the safety of others in a safe school zone, or
3. Is identified in RSA 193-D:1, I.

Neglect in the context of RSA 193:13, I and II, means the failure of a pupil to pay attention to an announced, posted, or printed school rule.

Pupil means a child through age 21 in attendance at a school during the school day.

Refusal in the context of RSA 193:13, I and II means the willful defiance of a pupil to comply with an announced, posted, or printed school rule.

Safe school zone means "safe school zone" as defined in RSA 193-D I, II.

School day means:

1. For a pupil who takes the school bus, the time period beginning when a pupil boards the bus in the morning to the time when a pupil disembarks from the bus in the afternoon, and
2. For a pupil who walks to school or arrives by private car, the time period beginning when the pupil arrives on the school grounds to the time when the pupil leaves the school grounds.

Superintendent means the school superintendent or chief administrating officer, or a representative designated in writing as authorized under RSA 193:13, I.

Suspension means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct or for neglect or refusal to conform to announced, posted, or printed school rules.

Superintendent's Authority:

Notwithstanding the foregoing, and in accordance with RSA 193:13, IV, the superintendent shall have the authority to modify the expulsion requirements of RSA 193:13 on a case-by-case basis.

Related:

Policies: K Student Suspensions and Expulsions
JIH - Interrogations and Searches

History:

Original Effective: April 19, 1995
Revised: January 3, 1996
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