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**PEACHAM SCHOOL BOARD POLICY  
FIREARMS**

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Prepared for 1st reading: 3/13/00

Policy Warned: 3/25/00

Adopted: 4/10/00

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Copies to: \_\_\_ Principal: \_\_\_ School Library: \_\_\_ Board Members: \_\_\_ CCSU: \_\_\_ Town Clerk: \_\_\_ Town Library: \_\_\_

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It is the policy of the Peacham school district to maintain a positive, safe, secure learning and working environment. It is also the intent of the board to comply with the federal Gun Free Schools Act of 1994, 20 U.S.C. §8921, and Act No. 35 of the 1995 session of the Vermont General Assembly, 16 V.S.A. §1166.

Possession: Students and non-students, including employees and other adults, are forbidden to knowingly or voluntarily possess, store in any area subject to one's control, handle, transmit, or use any firearm in any school environment. School environments include, but are not necessarily limited to, District-owned buildings, leased or rented facilities, school-sponsored activities, field trips, school vehicles and buses, and school bus stops. This policy covers before and after school hours as well as regular school hours.

Firearms: The term "firearm" means (a) any firearm designed to, or that may readily be converted to, expel a projectile by the action of an explosive or other propellant (including pellet and BB guns); (b) the frame or receiver of any such firearm; (c) any firearm muffler or firearm silencer; (d) any explosive, incendiary, or poison gas device; or (e) any combination of parts either designed or intended for use in converting any device into any firearm as described in the preceding list. The term "firearm" does not include an antique firearm from which all ammunition has been removed.

Student Reporting: Students who see or become aware of a firearm at school must not touch it nor remain in the presence of a person or group where a firearm is present. Students must notify an adult immediately for the safety of all concerned.

Student offenses: If upon inquiry it is found by the school principal (or designee) that a student has violated this policy, the following steps shall be taken:

- < Confiscation of the firearm (if it can be done safely), or call the police and request assistance if needed.
- < Notification of the superintendent or designee.
- < Notification of parent(s)/guardian(s).
- < Notification of law enforcement agency.
- < The superintendent or designee shall hold an administrative hearing with the student and parent(s)/ guardian(s) in order to (a) inform the student of the policy; (b) confront the student with the evidence; (c) provide an opportunity for the student to respond to the allegations.
- < If, following the administrative hearing, the superintendent determines that the student has violated this policy, the superintendent shall recommend to the school board that the student be expelled from the school for not less than one calendar year.
- < The school board shall thereafter hold a hearing, at which the student and his or her parent(s)/ guardian(s) shall be given an opportunity, with the assistance of counsel if they wish, to present evidence and cross-examine witnesses.

- < The school board, following the hearing, may modify the one-year expulsion on a case-by-case basis, when it finds circumstances such as, but not limited to: (a) the pupil was unaware that he or she brought a weapon to school; (b) the pupil did not intend to use the weapon to threaten or endanger others; (c) the pupil is disabled and the misconduct is related to the disability; (d) the pupil does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the pupil. The board shall issue a written decision.

Violation by Other Youths and Adults, Including Employees: Police shall be notified immediately. Employees will also be subject to applicable disciplinary procedures.