
**PEACHAM SCHOOL BOARD POLICY
WEAPONS**

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Policy Warned:

Adopted:

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Copies to: ___ Principal: ___ School Library: ___ Board Members: ___ CCSU: ___ Town Clerk: ___ Town Library: ___

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, and Act No. 35 of the 1995 session of the Vermont General Assembly. In striving to attain such an environment, the Board takes the position of no tolerance for weapons in our schools, except as specifically stated below. All weapons or instruments that have the appearance of a weapon are prohibited within all school environments except for educational purposes as authorized in advance by the building principal or designee. School environments include, but are not limited to, district-owned buildings; leased or rented facilities; school-sponsored activities; field trips; school vehicles and school buses, rented or owned; and school bus stops. Anyone found to be in possession of a weapon in any area defined in this policy, before, during, or after school hours is subject to administrative and/or legal action.

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 instrument that is considered a weapon or a "look-alike" weapon in any of the school environments listed above.

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

Weapons: "Weapons" means any firearm whether loaded or unloaded; any chemical, substance, device, or instrument designed as a weapon or through its use capable of threatening or producing bodily harm or death; or any device or instrument that is used to threaten, strike terror, or cause bodily harm or death.

The board takes a position of "zero tolerance" on the following objects:

- < All firearms whether loaded or unloaded, etc.
- < Other guns of all types including pellet, B-B, stun, look-alike, and non-functioning guns that could be used to threaten others, etc .
- < Knives, switchblades or automatically opening blades, daggers, swords, razors, etc.
- < Artificial knuckles or other objects designed to be worn over the fist or knuckles, etc.
- < Blackjacks, clubs, nunchucks, throwing stars, etc.
- < Explosives
- < Poisons, chemicals, or substances capable of causing bodily harm
- < Bow and arrows, sling-shots, etc.
- < Any other device or instrument used to intimidate, threaten or inflict harm

Student offenses:

The procedure for all student offenses is:

- < Confiscation of the weapon (if it can be done safely), or call the police and request assistance if needed
- < Notification of the superintendent or designees
- < Notify the parent/guardian
- < Holding an administrative hearing with student(s), which will:
 - a. inform the student of the policy provision that has been violated
 - b. confront the student with the evidence
 - c. provide an opportunity for the student to respond to the allegations

Except for firearms and guns, the administrator will assess, based upon the hearing, whether it is necessary to continue with the procedures listed below for suspension, police involvement, and expulsion.

- < Initially, suspension of up to 10 days (cumulative) from school until the school board can meet to review the incident
- < Involvement of police with recommendation to charge
- < Recommendation to the superintendent regarding expulsion

Expulsion Hearing: A student found by the Board after a hearing to have brought a weapon to school shall be expelled for at least a calendar year. However, the Board may choose to modify the expulsion by either limiting the duration of the expulsion or by choosing not to expel the student at all. Such modifications may be made by the Board on a case-by-case basis when it finds circumstances such as, but not limited to:

- < The student was unaware that he or she had brought a weapon to school
- < The student did not intend to use the weapon or threaten or endanger others
- < The pupil is disabled and the misconduct is related to the disability
- < The pupil does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the pupil

An expulsion hearing conducted under this policy shall afford due process as required by law.

Violation by Other Youths and Adults, Including Employees:

- < Immediate police involvement with recommendation to charge.
- < Employees will also be subject to district investigation and application of relevant district policies and disciplinary procedures.

Possession of Objects That May or May Not be Considered Weapons: While this policy represents a “no tolerance” position on weapons and/or look-alike weapons, there are several objects that are questionable regarding whether they are considered weapons and whether the presence of these objects requires activation and enforcement of this policy. The administrator may use his or her discretion when interpreting use and intent with such objects. Such potentially dangerous objects may include, but are not limited to:

- < Small pocket knives
- < Throwing darts
- < Nuisance items and toys
- < Unauthorized tools

A student who finds a weapon in the way to school, on school property, or in the school building and takes the weapon immediately to the Principal’s office shall not be considered in possession of a weapon.

While this policy represents a “no tolerance” position to weapons possession on school property and on or at those places or vehicles listed above and is intended to prohibit all weapons for any reason, there could be a very rare occasion when a weapon is inadvertently brought onto school property or is in one’s possession. If such an occasion is clearly the case, the principal, after a thorough investigation, may use discretion in demanding the appropriate discipline and removal of the weapon from school property.

Authorized Instructional and Work-Related Equipment and Tools: While this policy represents a “no tolerance” position on weapons and/or look-alike weapons, it is not meant to interfere with instruction or use of appropriate equipment and tools by employees and students. Such equipment, when properly used and stored, shall not be considered a weapon for purposes of this policy. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, the guidelines and consequences of this policy will take effect.

Exceptions:

- < Licensed peace officers, military personnel, or students participating in military training, who are performing official duties.
- < School district-approved possession and use of dangerous weapons by a ceremonial color guard.
- < School district-approved gun or knife show held on school property.
- < School district-approved possession and use of starter guns for athletic contests.
- < Possession of dangerous weapons with prior written permission of the principal.
- < Such as historical or antique weapons, weapons used in hunter safety course, etc.

Students with Disabilities: If the alleged violator is a “student with a disability” special due process procedures are required. Within ten cumulative days of a suspension, an Individual Education Plan (IEP) meeting shall occur. The team shall determine whether the weapons policy violation is related to the disability. If the team determines that the misconduct is unrelated to the student’s disability, the student may be disciplined in the same manner as students without disabilities. The disabled student who violates this weapons policy shall not be expelled if the assessment team determines that the misconduct is related to the student’s disability. If the misconduct is related to the student’s disability, and if following suspension and readmission to school the student continues to violate this policy; and if the parent or guardian will not agree to an appropriate placement, school officials may file due process or seek an order from a hearing officer or court to provide services to the student in another setting due to dangerousness. Educational services must continue for any disabled student who is suspended for more than 10 days or expelled.