

## CARRYING WEAPONS

### Definitions

This policy defines the following:

- *Dangerous weapon* as define by NDCC 62.101-01(1)
- *Firearm* is defined in accordance with 18 U.S.C. 921 and NDCC 62.1-01-01(3).
- *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored event or activity.
- *Weapon* includes, but is not limited to:
  - Any dangerous weapon as defined by NDCC 62.1-01-01
  - Any device designed to stun through use of voltage whether through direct contact or through a projectile
  - Any firearm look alike or dangerous weapon look alike brought on school property with the intent to threaten or intimidate
  - Any other object that a student used, attempted to use, or intended to use to threaten or intimidate, cause destruction to property, or to cause injury to self or others
  - Spray or aerosol containing ortho-chlorobenzamalonitrile or other irritating agent intended for use in the defense of an individual

### Prohibitions

Students are prohibited from *knowingly* possessing, handling, or transmitting on school property a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm.

### Disciplinary Consequences

Violation of this policy will result in disciplinary action up to and including suspension or expulsion. Bringing a weapon other than a firearm to school will require that proceedings for the suspension for upto 10 days and/or expulsion for up to 12 months be initiated immediately in accordance with the district's suspension and expulsion policy.

Bringing a firearm to school will require that the District immediately initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the district's suspension and expulsion policy. The Superintendent may modify the length of a firearms-related expulsion to less than one calendar year on a case- by-case basis based on the following criteria:

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.

6. Whether or not the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether or not the expelled student would place himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parents will be notified and all dangerous weapons will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

**Special Education Students**

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who has brought a weapon to school shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, and placement decisions of such students in accordance with IDEA regulations.

**Nonapplicable Provisions**

This policy does not apply to students enrolled and participating in a school-sponsored shooting sport, provided that the student informs the school principal of the student's participation and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display dangerous weapons, or look-a-likes, for educational purposes. Such a display will be exempt from this policy.

A student who finds a firearm or dangerous weapon on the way to school, on or in school property, or discovers that they accidentally have a firearm or dangerous weapon in their possession shall not be considered to possess it if they turn it over to an administrator, teacher, or head coach or immediately notifies an administrator, teacher, or head coach of its location.

**End of Tioga School Board Policy FFD.....Reviewed/Revised: March 2020**