

WEAPONS-FREE SCHOOLS

It is the policy of this school district to comply fully with the Gun-Free Schools Act.

1. Any student in this school district who uses or possesses a firearm at school, at any school-sponsored event, or in or upon any school property including school transportation or school-sponsored transportation may be removed from school for one full calendar year or longer.

The superintendent or designee may modify the provisions of this policy on a case-by-case basis. However, any substantial modification must be reported to the board of education at its next meeting.

Firearms are defined in Title 18 of the United States Code, Section 921, as (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device including any explosive, incendiary or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or any device similar to the above.

Such firearm or weapon will be confiscated and released only to a law enforcement authority.

2. Oklahoma Statutes, Title 21, Section 1280.1 prohibits any person to have in such person's possession on any public or private school property or while in any school bus or vehicle used by any school for transportation of students or teachers any firearm or weapon as defined in Title 21, Section 1272, below:

"...any pistol, revolver, shotgun or rifle whether loaded or unloaded, or any dagger, bowie knife, dirk knife, switchblade knife, spring-type knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon is concealed or unconcealed."

Students with disabilities are subject to this policy and will be disciplined in accordance with the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act. If the violation is found by the student's IEP team to be unrelated to the student's disability, the student may be suspended for up to 45-calendar days at the discretion of the superintendent. If the student's IEP team determines that the violation is related to the student's disability, the student may be suspended for up to ten days and placed up to 45 days in an alternative educational setting. The school district must take immediate steps to remedy any deficiencies found in the child's IEP or placement, or the implementation of the IEP. The child must be placed in an appropriate setting determined by the IEP team and continue to receive special education and related services.

An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms or archery equipment. (See Note 2, below.)

Any student who violates this policy will be subject to discipline which may include suspension for the remainder of the semester and the entire succeeding semester or up to one full calendar year or longer (for firearms) or for any term less than one calendar year (for weapons other than firearms) as determined by the superintendent or the superintendent's designee. Disciplinary action will be determined on a case-by-case basis.

WEAPONS-FREE SCHOOLS (Cont.)

Students found to be in violation of this policy shall be referred to the appropriate criminal or juvenile justice system. Any firearms found on the premises shall be reported to law enforcement and will immediately be turned over to local law enforcement as per state law requirements.

REFERENCE: 18 U.S.C. §921
21 O.S. §1271.1, §1280.1
70 O.S. § 24-132.1

NOTE 1: The district is required to include, in each application to the State Department of Education for assistance under the Elementary and Secondary Education Act of 1965, a description of the circumstances surrounding any expulsions imposed under this policy, including the name of the school; the number of students expelled from the school, and the type of weapons concerned.

NOTE 2: Firearms and weapons are allowed on school property and deemed not in violation as follows: A gun or knife designed for hunting or fishing purposes kept in a privately owned vehicle and properly displayed or stored as required by law, or a handgun carried in a vehicle pursuant to a valid handgun license authorized by the Oklahoma Self-Defense Act provided such vehicle containing said gun or knife is driven onto school property only to transport a student to and from school and such vehicle does not remain unattended on school property; a gun or knife used for the purposes of participating in the Oklahoma Department of Wildlife Conservation certified hunter training education course or any other hunting, fishing, safety, or firearms training courses, or a recognized firearms sports event, team shooting program or competition, or living history reenactment, provided the course or event is approved by the principal or chief administrator of the school where the course or event is offered, and provided the weapon is properly displayed or stored as required by law pending participation in the course, event, program, or competition; and weapons in the possession of any peace officer or other person authorized by law to possess a weapon in the performance of his/her duties and responsibilities. Although state law allows weapons on school premises, federal law dictates that students in possession of a firearm on school premises are to be suspended for one calendar year. The administration may modify this on a case-by-case basis.

THIS POLICY REQUIRED BY LAW.