

WEAPONS IN SCHOOL POLICY

I. Guns and Firearms (Students)

Any student who brings or possesses a firearm as defined in section 921 of Title 18 of the United States Code in a safe school zone as defined in RSA 193-D:1 without written authorization from the Director or designee shall be expelled from school by the local school board for a period of not less than 12 months. This expulsion may be modified by the Executive Director upon review of the specific case in accordance with other applicable law. Implementation of this provision shall be consistent with the requirements of the Individuals with Disabilities Education Act (IDEA).

Pursuant to the provisions of 20 U.S.C. § 7961, Gun-Free Schools Act, the Board requires the Director or designee to contact local law enforcement authorities and/or the Division of Children and Youth Services and notify them of any student who brings a firearm or weapon on school property. Such a report shall be made by the principal to the local law enforcement authority immediately, by telephone or otherwise, and shall be followed within 48 hours by a report in writing.

Weapons under the control of law enforcement personnel are permitted.

All students will receive written notice of this policy at least once each year.

II. Other Weapons

The term "weapons" includes, but is not limited to, firearms and/or weapons (rifles, pistols, revolvers, pellet guns, BB guns, etc.) knives, slingshots, metallic knuckles, firecrackers, billy clubs, stilettos, switchblade knives, swords, canes, pistol canes, black jacks, daggers, dirk knives, explosives, incendiaries, martial arts weapons, or self-defense weapons (as defined by RSA 159:24 and RSA 159:20 respectively), or any other object or substance which, in the manner it is used or threatened to be used, is known to be capable of producing death or bodily injury.

"Weapon" is further defined as any device, instrument, material, or substance, which is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury.

Weapons are not permitted in school buildings, on school property, in school vehicles, or at school-sponsored activities.

Student violations of this policy will result in both school disciplinary action and notification of local law enforcement authorities.

The Director or designee may exercise his/her best judgment in determining the scope of this policy as it relates to inadvertent or unintentional violations of this policy by adults, provided such inadvertent or unintentional violation of this policy does not affect the safety of students, school staff, or the public.

Legal References:

- 18 U.S.C. § 921, Et seq., Firearms
- 20 U.S.C. § 7961, Gun-Free Schools Act
- RSA 193:11, Disturbance
- RSA 193-D, Safe School Zones
- RSA 193:13, Suspension and Expulsion of Students
- NH Code of Administrative Rules, Section Ed. 317, Standards and Procedures for Suspension and Expulsion of Pupils Including Procedures Assuring Due Process
- Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1400 et seq.

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