

This district is committed to providing a safe environment for all students and staff when they are at school, on a school bus, or at any school-sponsored activity. The district's commitment includes the prohibition against any weapons or other objects/substances which may pose a threat to the health and safety of other students, staff members, or visitors, or could be used to disrupt the educational process. It also includes the prohibition against willful threats of violence directed at schools, school buses, school activity venues, school staff and/or students regardless of the point of origin, and delivered by any means of communication.

The board has no tolerance for students who use, threaten to use, or possess firearms, destructive devices, *weapons*, deadly or dangerous weapons, *explosives* or "*look alike*" *weapons* on any district premises, or at any district sponsored activity, regardless of location, or store them in their lockers and/or personal vehicles on school campuses or for students who assist others in doing any of the above. The superintendent, principal or designee has the authority to determine the extent of the threat and/or disruptiveness to the health, safety, and/or educational process of other individuals in each particular situation. For the purposes of this policy no tolerance means that consequences will occur if this policy is violated and that the consequences will be commensurate with the circumstances of each situation.

The only exception to this policy is where the superintendent or designee has given the student prior permission to bring a weapon or firearm to school. In granting such permission, the superintendent or designee shall consider the following factors: student's age, purpose of bringing a weapon to school, level of supervision, etc.

PROHIBITIONS

Students attending district schools are prohibited from:

1. Possessing or carrying objects/substances which are manufactured, used, or intended for use as a firearm, destructive device, deadly or dangerous weapon, explosive, "look alike" weapon, weapon, or facsimiles thereof, at school, on a school bus, or at any school-sponsored activity without prior permission of school officials.

2. Possessing, carrying, using, and/or threatening to use, any “look alike” weapons with the intent or result of causing harm to another individual at school, on a school bus, or at any school-sponsored activity.
3. Knowingly assisting another student(s) to possess, carry, or use an explosive, weapon, or firearm destructive device, deadly or dangerous weapon, or “look alike” weapon at school, on a school bus, or at any school-sponsored activity.
4. Threatening by word, electronic means or act to use a firearm or other deadly or dangerous weapon to do violence to any person on school grounds or to disrupt the normal operations of the school district’s operations by making a threat of violence.
5. Knowingly possessing, altering or repairing a firearm or other deadly or dangerous weapon in the furtherance of carrying out a threat made by word, electronic means or act to do violence to any person on school grounds or to disrupt the normal operations of the school district.

DEFINITIONS

“Deadly or Dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length.

“Destructive device” means (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than one-quarter ounce, mine or any similar such devices; (2) any type of weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant and which has any barrel with a bore of more than one-half inch diameter; (3) any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A “destructive device” does not include: shotgun or shotgun shell which is generally recognized as particularly suitable for sporting purposes; a rifle or antique firearm which the owner intends to use solely for sporting, recreational or cultural purposes; and any device which is neither designed nor redesigned for use as a weapon.

“Explosive” means any substance or item other than a destructive device as defined herein that can potentially generate a release of mechanical or chemical energy. Examples include firecrackers, cherry bombs, gun shells, bottle bombs, etc.

“Firearm” shall mean 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; the frame receiver of any such weapon; any firearm muffle or firearm silencer; any destructive device. Although antique firearms are specifically excluded from the definition of firearm under federal law, the district prohibits such antique firearms under the definition of “weapon” above.

“Look alike weapon” means objects which closely resemble a weapon or explosive and could put persons in fear for their safety. Examples include toy guns, smoke bombs, etc.

“On school grounds or at any school sponsored activity, regardless of location” shall include, but not be limited to, buildings, facilities, and grounds on district campuses, school buses, district parking areas; and the location of any school or district sponsored activity. This includes instances in which the conduct occurs off district premises but impacts a district-related activity.

“Possess” is defined as bringing an object, or causing it to be brought, onto any school or at any school sponsored activity, regardless of location, or onto a vehicle being used for school-provided transportation, or exercising dominion and control over an object located anywhere on such premises or vehicle and personal vehicles on school campuses. A student will be determined to possess a weapon when the item is found to be in any of the following locations:

1. On a student’s person;
2. In the student’s personal property, including, but not limited to, the student’s clothing, backpack, purse, or any other item the student transports or carries and/or causes to be transported or carried to school;
3. A vehicle parked in the school parking lot which the student drives and/or is transported in;
4. The student’s locker; or
5. Any other school-related or school-sponsored event, regardless of location.

“Weapon” means anything that is commonly designed or may be used to cause injury or to put someone in fear. Examples of “weapons” prohibited by this policy includes any of the following: a knife with a blade of any length (including pocket knives), clubs, razor blades, chemical irritants, antique firearms, shotguns or rifles (regardless of whether the owner intends to use the items solely for sporting, recreational or cultural purposes).

INVESTIGATION

The superintendent or designee will immediately investigate any allegation that a student is in violation of this policy. If determined necessary by the superintendent or designee, law enforcement may be requested to conduct the investigation. Any prohibited items may be confiscated by the superintendent or designee. Students reasonably believed to be in possession of these items may be suspended from school until a thorough investigation is completed.

Expulsion

The board of trustees shall expel a student from school a student who has been found to have possessed a firearm or destructive device on school property in this state or any other state.

The expulsion, will be for a period of not less than one (1) year (twelve (12) calendar months). The board may modify the expulsion order on a case-by-case basis when the board determines that reasonable conditions apply and the student's presence is not detrimental to the health and safety of other students. Any such modification of the one-year mandatory expulsion and the reasons therefore, must be in writing.

Discipline for Devices Other Than Firearms and Destructive Devices

For violations of this policy involving prohibited items other than firearms and destructive devices, discipline may include actions up to and including suspension and/or expulsion. Discipline shall be commensurate with the circumstances of the situation, which includes, but is not limited to, the intent, degree of endangerment or damage, degree of intimidation or fear, and the age of the student.

Referral to Law Enforcement

The superintendent or designee will refer any student who possesses a firearm or destructive device on school property in violation of state or federal law to the appropriate law enforcement agency.

The board may, at its discretion, refer students who violate other provisions of this policy to law enforcement.

STUDENTS WITH DISABILITIES

Disciplining students with disabilities, as defined by Public Law 94-142 and subsequent amendments, and Section 504 of the 1973 Rehabilitation Act, under this policy will follow federal guidelines.

DENIAL OF ENROLLMENT

This district will not admit a student who has been expelled from another school district for possessing a deadly or dangerous weapon or firearm on school property, or for violation of a statute, regulation, or policy which prohibits weapons until the student is eligible to return to his or her home school district. If a student wishes to challenge that decision, he or she is entitled to a due process hearing pursuant to Idaho Code §33-205.



LEGAL REFERENCE:

Idaho Code Sections

33-205 – Denial of School Attendance

18-3302D – Possessing Weapons or Firearms on School Property

18-3302I – Threatening Violence on School Grounds – Firearms and Other Deadly or Dangerous Weapons

18 USC §921 (a)(3) – Definition of “Firearm”

18 USC §930(g)(2) – Definition of “Dangerous Weapon”

20 U.S.C. §7961 – Gun Free Schools Requirements

ADOPTED: January 14, 1998

AMENDED: August 23, 2022

ANNUAL REVIEW: January 19, 2021, September 21, 2021, August 23, 2022

Note: The district has the right to determine what items constitute a weapon. The definitions of “deadly or dangerous weapon” and “firearm” are the definitions referenced in Idaho Code § 18-3302D, which is the state statute governing carrying weapons or firearms on school property. Districts may add other items to its definition of “weapon” to address local concerns.

Expulsion is currently only mandated (to be modified on a case-by-case basis) in those instances where a weapon, as defined by the Gun-Free Schools Act, is involved. If the board modifies the expulsion in a specific instance, it has the right to impose alternative disciplinary measures.