

## **STUDENTS - Series 500**

### **502 Student Behavior and Discipline**

#### **502.9 Weapons**

The students, faculty and staff of the West Branch Community School District have the right to attend schools and school activities that are safe. Parents have a right to expect that the schools and the activities to which they send their children are safe. Schools and patrons cannot be safe if a student brings, possesses or uses an instrument as a dangerous weapon. Thus, any student who brings, possesses, buys, sells, uses or threatens to use a dangerous weapon shall be guilty of misconduct and shall be subject to discipline up to and including expulsion. In addition, any student who illegally possesses, buys, sells, uses or threatens to use a dangerous weapon off school premises may be subject to disciplinary action under the school's Good Conduct Rule.

School district facilities, school district premises and school district sponsored activities are not appropriate places for dangerous weapons of any kind. Dangerous weapons or any instruments used as weapons shall be taken from students and others who bring them onto property within the jurisdiction of the school district or from students who are within the control of the school district.

Definition of dangerous weapons:

"A "dangerous weapon" is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife or knife having a blade exceeding five inches in length." (Iowa Code Section 702.7)

In addition to the definition set forth above, dangerous weapons, or any instruments used as weapons in the schools, include any object used to intimidate, coerce, scare or threaten a student, school district employee or visitor. Dangerous weapons therefore include, but are not limited to, clubs, nunchakus, brass knuckles, knives or butterfly knives (longer than three

inches), stun guns, BB guns, bow and arrows, toy guns or look-a-like guns used or displayed as real guns, unloaded guns and bullets.

Disciplinary action for students who bring, possess, or use squirt guns, toy guns and other toys that imitate weapons and that are not used to intimidate, coerce, scare or threaten a student but whose presence causes disruption to the school environment or present a threat to the safety of students will follow Board Policy 502.1 Student Conduct.

The Board believes dangerous weapons on school district premises, in school district facilities or at school district sponsored functions cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property or within the jurisdiction of the school district.

Parents/guardians of a student found to bring or possess an unauthorized dangerous weapon or any instrument used as a weapon on school property shall be notified of the incident. Confiscation of weapons shall be reported to the police, and the student will be subject to disciplinary action.

Any student who brings a firearm to school or who possesses a firearm shall be expelled for not less than twelve months. The superintendent shall have the authority to recommend this expulsion requirement be modified for a student on a case-by-case basis: For purposes of this portion of this policy, the term "firearm" includes the following:

1. Any weapon which will, or is designed to, or may readily be converted to, expel a projectile by the action of any explosive (gun);
2. The frame or receiver of any weapon described above;
3. Any firearm muffler or firearm silencer;
4. Any explosive, incendiary, or poison gas;
  - a. bomb,
  - b. grenade,
  - c. rocket having a propellant charge of more than four ounces,
  - d. missile having an explosive or incendiary charge of more than one-quarter ounce,
  - e. mine, or
  - f. similar device; Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant.
  - g. Any combination of parts, either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a

destructive device may be readily assembled.

Weapons under the control of law enforcement employees shall be exempt from this policy. The principal may authorize other persons to display dangerous weapons for educational purposes. Such a display shall also be exempt from this policy.

Adoption Date: November 14, 1994  
Review Date: November 10, 2008

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Legal References: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).  
McClain v. Lafayette County Bd. of Education, 673 F.2d 106 (5th Cir. 1982).  
Iowa Code S279.8; 724 (1993).

Cross Reference: 502 Student Discipline  
504 Student Health & Safety Regulations  
502.1 Student Conduct