



Poudre School District

JICI - STUDENT CONDUCT INVOLVING WEAPONS

The Board of Education has determined that student possession, use and/or threatened use, ~~without the authorization of the school or the District, of a dangerous weapon or of,~~ which for the purposes of this policy includes a knife regardless of blade length ~~on District property, on a District vehicle, at a District or school-sponsored activity or event, or off District property when such conduct has a reasonable connection to school or any District curricular or non-curricular activity or event,~~ is detrimental to the welfare and safety of students and school personnel.

Student possession, use and/or threatened use, without the authorization of the school or the District, of a dangerous weapon ~~or of a knife regardless of blade length~~ is prohibited on all District property, on all District vehicles, at all District or school-sponsored activities or events, and off District property when such conduct has a reasonable connection to school ~~or any District curricular or non-curricular activity or event.~~

~~Student possession, use and/or threatened use of a dangerous weapon or of a knife regardless of blade length in violation of this policy is grounds for suspension or expulsion.~~ In accordance with federal law, expulsion for no less than one full calendar year shall be mandatory for a student who is determined to have brought a firearm as defined below to school or to have possessed a firearm at school ~~—, regardless of age.~~ The superintendent may modify the length of this federally required expulsion in writing on a case-by-case basis.

~~As used in this policy, "dangerous weapon" means:~~

~~4. —The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, student possession, use and/or threatened use of a dangerous weapon in violation of this policy is grounds for suspension or expulsion.~~

~~This policy and all policies related to suspension and expulsion must be enforced equitably across schools and across protected classes, as defined in Policy AC – Nondiscrimination/Equal Opportunity.~~

Definitions

For the purposes of this policy, these terms have the following meanings:

"Dangerous weapon" means:

1. A firearm, whether loaded or unloaded.

~~2. A firearm facsimile that could reasonably be mistaken for an actual firearm.~~

~~3. _____~~

2. Any ~~pellet, BB gun or other device, whether operational or not,~~ designed to propel projectiles by spring action or compressed air. This includes pellet and BB guns, and applies whether or not the device is operational.

~~4. A fixed blade knife with a blade that measures longer than three inches in length or a spring-loaded knife or pocket knife with a blade that measures longer than three and one-half inches in length. The length of all knife blades under this policy shall be measured from the tip of the blade to the "hilt" or handle of the knife.~~

3. ~~5. Any knife, regardless of blade length.~~ Any object, device, instrument, material or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury, ~~including but not limited to a slingshot, bludgeon, brass or spiked knuckles or artificial knuckles of any kind, and nunchucks.~~

~~As used in this policy in accordance with federal law, "firearm" means: (1) "Firearm" means:~~

- ~~1. any weapon (including a starter gun) that will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2)~~
- ~~2. the frame or receiver of any such weapon; (3)~~
- ~~3. any firearm muffler or firearm silencer; or (4)~~
- ~~4. any destructive device. As used in this policy in accordance with federal law, "destructive, as defined below.~~

~~"Destructive device" means: (1);~~

- ~~1. any of the following with an explosive, incendiary, or poison gas {mechanism: 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 device similar to any of those in the preceding list}; (2);~~
- ~~2. any type of weapon that will or that may be readily converted to expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter; or (3)~~
- ~~4-3. any combination of parts either designed or intended for use in converting any device into a "destructive device" (as previously defined) and from which a "destructive device" (as previously defined) may be readily assembled.~~

Firearm Facsimile

Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm on District property, on District vehicles, during a school-sponsored or District-sponsored activity or event, and off school property when such conduct has a reasonable connection to school without the authorization of the school or District is prohibited. Students who violate this policy provision may be subject to disciplinary action, including but not limited to suspension and/or expulsion, in accordance with District policy concerning student suspensions, expulsions and other disciplinary interventions.

A student may seek prior authorization from the principal to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property for purposes of a school-related or non-school related activity. A student's failure to obtain such prior authorization is a violation of this policy and may result in disciplinary action, including but not limited to suspension and/or expulsion. The principal's decision to deny or permit a student to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property is final and not subject to appeal.

School administrators shall consider violations of this policy provision on a case-by-case basis to determine whether suspension, expulsion or any other disciplinary action is appropriate based upon the individual facts and circumstances involved.

Confiscation and Surrender of Weapons

School administrators, officials and employees may confiscate any weapons or other articles detrimental to the health, safety or welfare of students and/or ~~staff~~employees, and may submit the weapon or article to the appropriate law enforcement agency.

In accordance

If a student inadvertently brings a weapon prohibited by this policy on District property, in a District vehicle, at a District or school-sponsored activity or event, or off District property when such conduct has a reasonable connection to school without intent to use the weapon (excluding a firearm), the student can surrender the weapon to an administrator without facing disciplinary consequences. Surrendered weapons will only be returned directly to the student's parent/caregiver.

Any student with applicable law, a firearm at school for any reason will face disciplinary consequences. Repeated incidents of a student surrendering a weapon may result in disciplinary consequences.

All students are encouraged to report to District staff or through Safe2Tell if they are aware that another student has a dangerous weapon on District property, in a District vehicle, at a District or school-sponsored activity or event, or off District property when such conduct has a reasonable connection to school.

Referral to Law Enforcement

District personnel shall refer any student to law enforcement who brings a firearm or other ~~weapon onto District property~~dangerous weapon on District property, in a District vehicle, at a District or school-sponsored activity or event, or off District property when such conduct has a reasonable connection to school, without authorization of the school or the District.

Adopted by Board: September 1992
Revised by Board: December 1993
Revised by Board to conform with practice: May 22, 1995
Revised by Board: August 14, 1995
Revised by Board: August 12, 1996
Revised by Board: June 22, 1998
Revised by Board: October 11, 2004
Revised by Board: April 22, 2008, effective July 1, 2008
Revised by Board: May 26, 2009, effective July 1, 2009
Revised by Board: March 23, 2010
Revised by Board: June 21, 2011, effective July 1, 2011
Revised by Board: June 12, 2012, effective July 1, 2012
Revised by Board: June 13, 2017, effective July 1, 2017
Revised by Board:

Cross References:

JKD/JKE - Suspension/Expulsion Of Students
JKD/JKE-R - Procedures Regarding Suspension/Expulsion of Students
JKDA/JKEA - Grounds for Suspension/Expulsion of Students

LEGAL REFS: Legal References:

18 U.S.C. 921(a)(3) & (4) (federal definition of "firearm" and "destructive device")
20 U.S.C. ~~7151~~
~~C.R.S. 18-1-901(3)(e)~~7961 (Gun-Free Schools Act)

C.R.S. 18-12-101(1)(b.7) (Colorado definition of "firearm")
C.R.S. 18-12-105.5 (unlawfully carrying a weapon on school grounds)
C.R.S. 22-32-109.1(1)(c) & (2)(a)(I)(G) (cross-reference to definition of dangerous weapon and policy required as part of safe schools plan)
C.R.S. 22-33-102(4) (definition of dangerous weapon)
C.R.S. 22-33-106(1)(d)(I), (1)(f) & (1.5) (possession of a dangerous weapon grounds for discipline, must adopt policy regarding firearm facsimiles, and mandatory one year expulsion for bringing a firearm on school grounds)

CROSS REFS:

~~JKD/JKE, Suspension/Expulsion Of Students~~
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