

Students

Weapons and Dangerous Instruments

Students shall not possess firearms, realistic replicas of firearms, weapons, or dangerous instruments of any kind on school grounds, in school buildings, on school transportation, or on any school-related or school-sponsored activity on or off school property. Firearms, weapons, and dangerous instruments shall include, but are not limited to, guns, pistols or rifles, whether loaded or unloaded, weapons as defined in Connecticut General Statutes Section 29-38, firearms as defined in 18 U.S.C. Section 921, deadly weapons, dangerous instruments or martial arts weapons, as defined in Connecticut General Statutes Section 53a-3, or any other instrument, article or substance which under the circumstances in which it is used, or attempted or threatened to be used, is capable of causing physical injury. This can include, but is not limited to, motor vehicles, fire crackers, fireworks of any kind or other items not commonly thought of as weapons.

Students shall not possess firearms off school grounds as defined in 18 U.S.C. Section 921, in violation of Connecticut General Statutes Section 29-35. Further, students shall not possess or use a firearm, instrument, or weapon in the commission of a crime under Connecticut General Statutes Chapter 952.

Any violation of this policy shall be reported immediately to the local law enforcement agency, the Board of Education, and, if possible, the parent(s) or guardian(s). Students who are believed to have violated this policy shall be denied school privileges. Such denial may include expulsion. In addition, students age sixteen (16) and over who are expelled because of conduct which endangers persons if the conduct involved possession of a firearm as defined in 18 U.S.C. Section 921, a deadly weapon, dangerous instrument or martial arts weapon, as defined in Connecticut General Statutes Section 53a-3, on school property or at a school-sponsored activity, may not be offered an alternative educational opportunity during the period of their expulsion.

Any dangerous instrument, weapon, firearm, or realistic replica of a firearm may be seized by an employee of the school system under the power granted to the Board of Education to maintain order and discipline in the schools, and to protect the safety of students, staff, and the public.

Every employee seizing any weapon, dangerous instrument, firearm, or realistic replica of a firearm shall report the incident to the building principal immediately, and deliver the seized item to the principal, or his/her designee, together with the names of the persons involved, witnesses, location and circumstances of the seizure.

If an employee knows or has reason to suspect that a student has possession of such an item, but the item has not been seized, the employee shall report the matter to the principal immediately, and the principal or his/her designee shall take such action as is appropriate.

The principal or his/her designee shall report all violations of this policy to the Superintendent or his/her designee, the local law enforcement agency, and the student's parent(s) or legal guardian(s), if possible.

The Board of Education shall hold an expulsion hearing whenever there is reason to believe that a student: (1) on school grounds or at a school sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Connecticut General Statutes Section 53a-3, or (2) off school grounds, did possess such a firearm in violation of Connecticut General Statutes Section 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime under Connecticut General Statutes, Chapter 952.

If the Board of Education finds that the student did so possess, or so possess and use, as appropriate, such a firearm, instrument or weapon, the Board of Education shall expel the student for one calendar year, provided that the Board may modify the period of expulsion for a student on a case by case basis.

Prior to conducting an expulsion hearing for a child requiring special education and related services, a Planning and Placement Team shall convene to determine whether the misconduct was caused by the child's disability. If it is determined that the misconduct was caused by the child's disability, the child shall not be expelled. The Planning and Placement Team shall re- evaluate the child for the purpose of modifying the child's Individualized Education Program to address the misconduct and to ensure the safety of other children and staff in the school. If it is determined that the misconduct was not caused by the child's disability, the child may be expelled in accordance with the provisions of this policy, except that an alternative education opportunity, consistent with the child's educational needs, shall be provided during the period of expulsion regardless of the conduct upon which the expulsion is based.

Whenever a student is expelled for a violation of this policy, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion based on possession of a firearm, as defined in 18 U.S.C. 921, or a deadly weapon, as defined in Connecticut General Statutes Section 53a-3, shall be expunged from the cumulative educational record if the student graduates from high school.

(cf. 5114 - Suspension/Expulsion; Due Process)

(cf. 5145.12 - Search and Seizure)

Legal Reference:

Connecticut General Statutes

29-35 Carrying of pistol or revolver

29-38 Weapons in vehicles

53a-3 Definitions.

53-206 Carrying and sale of dangerous weapons.

GOALS 2000: Educate America Act.

18 U.S.C. 921 Definitions.

20 U.S.C. 8921-8922 Gun Free Requirements

Policy adopted: December 6, 1995

Policy revised: January 5, 2000

LEDYARD PUBLIC SCHOOLS

Ledyard, Connecticut