

Students

WEAPONS AND DANGEROUS INSTRUMENTS

5131.7(a)

Possession, concealment, and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district. Possession and/or use of any firearm, destructive device, deadly weapon or dangerous instrument, in any school building on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited.

Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air gun or spring gun; slingshot; bludgeon; brass knuckles or artificial knuckles of any kind; knives having a blade of greater than two inches, any knife the blades of which can be opened by a flick of a button or pressure on the handle, or any pocketknife where the blade is carried in a partially opened position; martial arts weapon; destructive device.

A **“firearm”** as defined in 18 U.S.C. §921 means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. As used in this definition, a “destructive device” includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or a similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will or may be converted to expel a projectile by explosive or other propellant having a barrel with a bore of more than ¼” in diameter. The term “destructive device” also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A “destructive device” does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

A **“martial arts weapon”** means a nunchalco, kama, kasari-fundo, octagon sal, tonfa or chinese star.

A **“deadly weapon”** means any weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles.

A **“dangerous instrument”** means any instrument, article, substance or vehicle which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious injury.

Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. A student who violates this policy will be reported to law enforcement authorities.

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WEAPONS AND DANGEROUS INSTRUMENTS (continued)

5131.7(b)

The possession or use of any such weapon or devices will require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by the principal. If the student is found to have possessed a firearm or other dangerous weapon as defined in Connecticut General Statutes 53a-3 in violation of 29-35 or 53-206, in or on the real property of a school or at any school activity as defined in Connecticut General Statutes 10-233a, he/she must be expelled for one calendar year. The Hearing Officer may modify the period of expulsion on a case by case basis. To comply with federal law, any finding of an exception shall be reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

The District shall consider a student's conduct off school grounds that is seriously disruptive of the educational process or is violative of publicized policies of the Board as grounds for expulsion.

When considering whether conduct off school grounds is seriously disruptive of the educational process, the term “weapon” means any pistol or revolver, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle and having a blade of over one and one half inches in length, and any other dangerous or deadly weapon or instrument, including any BB gun, sling shot, blackjack, sand bag, metal or brass knuckles, stiletto, knife, the edged portion of the blade of which is four inches and over in length, or any martial arts weapon as defined above.

(cf. 5114 - Suspension/Expulsion)

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules.
10-233a through 10-233f - Expulsion as amended by PA 95-304
53a-3 Definitions.
53a-217b - Possession of firearms and deadly weapons on school grounds
53-206 Carrying and sale of dangerous weapons.
PA 94-221 An Act Concerning School Discipline and Safety.
Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q)
(2006)
GOALS 2000: Educate America Act
18 U.S.C. 921 Definitions.
USCA 7151 – No Child Left Behind Act
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006)
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-
7117