

## SECTION 400 – STUDENTS

### WEAPONS

### POLICY408

#### ARTICLE1 DANGEROUS WEAPONS

- A. The Board of Education determines that possession and/or use of a dangerous weapon by students is detrimental to the welfare and safety of the students and school personnel within the District. Carrying, bringing, using or possessing a dangerous weapon on District property, when being transported in vehicles dispatched by the District or one of its schools, during a school-sponsored or District sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any District curricular or non-curricular event without the authorization of the Principal or designee is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms. As used in this policy, "dangerous weapon" means:
1. A firearm, whether loaded or unloaded. The term "firearm" means 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 or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. The term "destructive device" means any explosive, incendiary, or poison gas, 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 the devices described in this paragraph (18 U.S.C. §921).
  2. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
  3. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches.
  4. 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, slingshot, bludgeon, brass knuckles or artificial knuckles of any kind.

#### ARTICLE2 ADMINISTRATIVE REQUIREMENTS

- A. The Principal or designee shall initiate expulsion proceedings for students who carry, bring, use or possess a dangerous weapon in violation of this policy. However, unless expulsion is otherwise required by federal law (see Paragraph D of this Article) a student may, but need not be expelled, if as soon as possible upon discovering that he/she is in possession of the dangerous weapon, the student notifies and delivers the weapon to school officials.
- B. In accordance with applicable law, the Principal or designee shall report any student who violates this policy or any incident involving a weapon to law enforcement officials.
- C. Any devices, instruments, materials or substances found in the possession of a student and deemed to be a potential weapon by the Principal shall be confiscated and returned only to the student's parent, guardian or law enforcement official as determined appropriate by the Principal or designee in accordance with applicable law.
- D. Expulsion for no less than one calendar year is required by federal law (20 U.S.C. §7151 et seq.) for carrying, bringing, possessing or using a firearm. For all other violations of this policy,

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#### References:

C.R.S. 22-32-109.1 Policy required as part of safe schools plan

C.R.S. 22-33-106 (1)(d) Grounds for Suspension, Expulsion

18 U.S.C. 921 (a)(3) (Federal definition of "firearm")

20 U.S.C. 7151 et seq. (Gun-Free Schools Act)

Adopted: 02/09/94; Revised 11/13/96; 06/23/99; 02/06/02; 05/17/10

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the Superintendent shall, to the extent allowable under applicable law, consider facts of the case in determining the length of expulsion or may determine that another penalty or no penalty is appropriate.

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#### References:

C.R.S. 22-32-109.1 Policy required as part of safe schools plan

C.R.S. 22-33-106 (1)(d) Grounds for Suspension, Expulsion

18 U.S.C. 921 (a)(3) (Federal definition of "firearm")

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- E. The Superintendent may modify required expulsion lengths in writing on a case-by-case basis to meet provisions of statutes concerning the education of students with disabilities. Educational services must continue for students with disabilities who are properly expelled, although such services may be provided in another setting.
- F. The District shall maintain records that describe the circumstances involving expulsions of students who have violated this policy including the name of the school, the number of students expelled and the types of weapons involved as required by law .

### ARTICLE3 FIREARM FACSIMILES

- A. 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, when being transported in vehicles dispatched by the District or one of its schools, during a school-sponsored or District sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any District curricular or non-curricular event without the authorization of the Principal or designee is prohibited. Students who violate this policy provision may be subject to disciplinary action including, but not limited to, suspension and/or expulsion.
- B. A student may seek prior written authorization from the Principal to carry, bring, possess, or use 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 written authorization is a violation of this policy provision 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 shall be final.
- C. School administrators shall consider violations of this Article 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.

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#### References:

C.R.S. 22-32-109.1 Policy required as part of safe schools plan  
C.R.S. 22-33-106 (1)(d) Grounds for Suspension, Expulsion  
18 U.S.C. 921 (a)(3) (Federal definition of "firearm")  
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