Superintendent Procedure 3248SP Firearms and Dangerous Weapons Prohibition for **Students**



Approved by: *s/José Banda* Date: 11/20/13

José Banda, Superintendent

Pursuant to Board Policy No. 3248, students may not carry onto, possess or use firearms or dangerous weapons on school property, on school-provided transportation, in areas of facilities being used exclusively by public schools, or at school-sponsored events or activities. Weapons prohibited by this policy:

State-defined dangerous weapons include: nunchucka sticks; throwing stars; air gun; slung shot; sand club; metal knuckles; any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement; or any dagger or dirk furtively carried;¹ any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun, that emits an electrical shock, charge, or impulse.

District-defined dangerous weapons include: BB gun of any type, pellet gun of any type, "soft air" gun, gun look-alikes, slingshot, hand club, sandbag, chaco sticks, metal pipe or bar used or intended for use as a club, billy club, black jack, switchblade knife, fixed blade knife (e.q., kitchen knife, steak knife, and hunting and military-type knives that do not fold), large folding knife with a blade over 2-1/2 inches long; any knife with a blade that locks open; any knife with more than one blade; razor blade; box cutter; blowgun, taser gun, bullets, and pepper gas/spray.²

The definition of a dangerous weapon also includes any object that can reasonably be used to inflict serious bodily injury when a student uses such an object with the intent to harm or intimidate someone, or when there is no other reasonable purpose for possessing the object except to use it as a weapon.

Procedures for Weapons Possession on School Property

Use the "Quick Reference Guide" issued by Safety & Security for procedures related to investigating a weapon in schools. These procedures as they apply to students are:

1. If serious harm is possible, call the Police (911) immediately and notify the Safety and Security Department (252-0707) and the Executive Director for your region.

¹ See, RCW 9.41.250.

² The application of the weapons policy to pepper gas/spray must be made in accordance with RCW 9.91.160. Parents must submit written permission to the school principal for a student who by statute can have pepper gas/spray in his/her possession.

- 2. In the event of reports or rumors of the presence of guns or weapons at school, attempt to increase supervision of areas around the school where students tend to congregate. The Principal/Administrator should investigate reports and rumors thoroughly and take necessary action. Shelter-in-Place or Lockdown response may be initiated if necessary.
- 3. Notify the Safety and Security Department (252-0707) of the reports or rumors, and additional support will be provided.
- 4. Weapons discovered in student(s) possession should be confiscated immediately. Calls must be made to the Safety and Security Department (252-0707). If a firearm is discovered, the Police (911) must be called.
- 5. Appropriate corrective action should be initiated immediately. For students, their parents/guardians must be called immediately regarding the incident and pending expulsion.
- 6. A Safety and Security Incident Report must be written for all weapons incidents.

Dangerous Weapons

<u>Firearms</u>

Any student who is determined to have carried a firearm onto, or to have possessed a firearm on, school district property, school-provided transportation, or areas of facilities while being used exclusively by public schools, shall be expelled from school for not less than one year, and law enforcement officials will be notified as required by RCW 28A.600.420 and RCW 9.41.280. Any student disciplined for this offense must be evaluated by the District's Threat Assessment Team prior to placement in an alternative educational environment and prior to any review by the Superintendent. An alternate education environment will be determined for the student to continue his/her education.

Students so suspended or expelled have the right to appeal the discipline to a hearing officer, and to appeal the hearing officer's decision to the Discipline Appeals Council (DAC). If the discipline is upheld by the hearing officer and the DAC, students also have the right to appeal directly to the Superintendent at the end of the semester for a modification of the length of the suspension or expulsion. Such appeal to the Superintendent must include evidence that the student has satisfactorily participated in a behavior modification class or program, that the student maintained satisfactory behavior and attendance in their alternative educational environment, and that the student is making reasonable academic progress.

Items That Appear to Be Firearms (Look-Alikes):

Any student who displays with malice (the intent to harm, frighten, or intimidate another) an item that appears to be a firearm on school district property, school-provided transportation, or areas of facilities while being used exclusively by public schools, may be suspended or expelled_from his or her school for up to one year.

Any student suspended or expelled from his or her school for this offense must be evaluated by the District's Threat Assessment Team prior to placement in an alternative educational environment and prior to any review by the Superintendent.

Students so suspended or expelled have the right to appeal the discipline to a hearing officer, and to appeal the hearing officer's decision to the Discipline Appeals Council

(DAC). If the discipline is upheld by the hearing officer and the DAC, students also have the right to appeal directly to the Superintendent at the end of the semester for a modification of the length of the suspension or expulsion. Such appeal to the Superintendent must include evidence that the student has satisfactorily participated in a behavior modification class or program, that the student maintained satisfactory behavior and attendance in their alternative educational environment, and that the student is making reasonable academic progress.

Dangerous Weapons Other Than Firearms or Look-Alikes:

(See list of what constitutes other Dangerous Weapons on page 1 of this document.)

Refer to the procedures for weapons possession on pages 1-2 of this document

Refer to the Standard Discipline for Exceptional Misconduct for disciplinary actions to take for students with dangerous weapons.

Weapons for School-Authorized Activity:

Non-school persons and students may bring dangerous weapons, other than firearms, onto school premises only if the weapons are lawfully within the persons' possession and in accordance with Washington law. This section applies to weapons used for approved demonstrations, in approved classroom presentations, or being stored at school by a student for use after school at a non-district afterschool program, such as a fencing class, youth military training, etc. The school administrator must give permission prior to bringing such dangerous weapons onto school premises. School administrators shall establish reasonable rules for the presence, supervision, and safe storage of these dangerous weapons.

Props for Drama Productions and Starter Pistols:

Props that look like firearms and other toy weapons used in District-approved plays or school activities and starter pistols used for sports activities are permitted with prior approval of the building principal or athletic director. The props, including realistic appearing guns of any type, toy weapons, and starter pistols, must not be capable of firing any projectiles, must be under the control or supervision of the adult activity sponsor, must be handled responsibly and be used only for the intended, approved purpose, and must be safely locked in a location that is not accessible to students when not in use for the activity.

Personal Protection Spray Devices:

No student may discharge a personal protection spray device on school property, on school-provided transportation, in areas of facilities being used exclusively by public schools, or at school-sponsored events or activities without clear evidence of the need for self-protection, as defined by state law. Even so, students between 14 and 18 years of age may possess a personal protection spray device on school property if the school has been previously provided with written permission by the parent/guardian for the student to possess such device. Students who are 18 years of age may possess a personal protection spray device on school property if the school has been student to possess such device. Students who are 18 years of age may possess a personal protection spray device on school property without parent/guardian permission. A student should notify school staff if the student believes he/she is endangered and in need of protection.

Laser Devices:

A hand-held laser device is considered to be a dangerous weapon if the light from the device is deliberately aimed at another person, whether or not there is intent to cause harm. The District recognizes that some low-power laser devices have a legitimate use in the classroom, *e.g.*, as instructional pointers, and would not be considered dangerous weapons if not deliberately aimed at another person. Such devices may not be used in a manner that is disruptive to the educational process.

Toys and Items Not Usually Considered to Be Weapons:

Toys and other items not usually considered to be weapons can be viewed and disciplined as dangerous weapons if they are used maliciously (with the intent to harm, frighten, or intimidate another).

Maintaining Student Incident Records

If, after an investigation, it is determined that the charge or disciplinary action for the student was incorrect, school staff are responsible for making the record correct, either by amending the record appropriately or purging it from the student's record.

Similarly, after a discipline appeals decision is made, school staff are responsible for amending the student's record if the hearing officer amended either the charge or the disciplinary action, or purging it if the charge and disciplinary action are overturned.

Weapons-Free Zone signs:

The Seattle School Board and state law require that all school facilities post "Weapons-Free Zone" signs.

Approved: November 2013 Revised: Cross Reference: Policy Nos. 3248, 4210