

WEAPONS IN SCHOOL

1. Generally

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the School Division is prohibited and grounds for disciplinary action. ~~The disciplinary sanction for bringing a firearm to school or to a school sponsored activity is expulsion for at least one year in accordance with Policy JGD/JGE.~~ A student who has possessed a firearm, destructive device, firearm muffler, firearm silencer, or pneumatic gun on school property or at a school-sponsored activity may be expelled for at least one year in accordance with Policy JGD/JGE Student Suspension/Expulsion. The School Board may determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board may, by regulation, authorize the Superintendent or the Superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Violation of this policy shall require that proceedings for the discipline of the student involved be initiated immediately by the principal.

Such weapons include, but are not limited to:

- any pistol, shotgun, stun weapon, revolver, or other firearm listed in ~~§section~~ 22.1-277.070(E), of the Code of Virginia, designed or intended to propel a projectile of any kind, including a rifle₂
- unloaded firearms in closed containers₂
- any air rifle or BB gun₂
- toy guns and look-alike guns₂
- any dirk, bowie knife, switchblade, ballistic, machete, knife or razor,
- slingshots₂
- spring sticks₂
- brass or metal knuckles,
- blackjacks₂
- explosives,
- destructive devices as defined in ~~§section~~ 22.1-277.07(E) of the Code of Virginia or other dangerous articles,
- any disc of whatever configuration, having at least two points or pointed blades₂, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, ~~which is designed to be thrown known as a throwing star or oriental dart,~~
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun₂ chahka, nun chuck, nunchaku, shuriken, or fighting chain₂

II. Students with Disabilities

A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a non-disabled student provided the manifestation review committee determines that the student’s misconduct was not a manifestation of the student’s disability. The provisions of Policy JGDA will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a weapons violation.

1. In addition to the authority granted in subsection A above, a student with a disability may also be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) days when the student carries or possesses ~~a~~ weapon to or at school or at school, on school premises, or to or at a school ~~function~~ under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not ~~be~~ be in excess of any removal imposed on a student without a disability for the same offense.
2. For purposes of this forty-five (45) school ~~day~~-day removal, the weapon must meet the following definitions:

“a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or ~~serious~~ serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.”

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Legal Refs.: 18 U.S.C. § 930(g)(2)
 20 U.S.C. § 415 (k)(1)(G)(i)
 Code of Virginia, §§ [18.2-308](#), [18.2-308.1](#), [18.2-308.7](#), [22.1-277.07](#),
[22.1-277.07:1](#)
 Wood v Henry County Public Schools, 225 Va. 85, 495 S.E.2d 255 (1998)
[8 VAC 20-81-10](#)

Cross Refs.: JGD/JGE Student Suspension/Expulsion

JFC	Student Conduct
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury