

SCHROON LAKE

5312.2

DANGEROUS WEAPONS IN SCHOOL

No student shall have in his or her possession upon school premises any rifle, shotgun, pistol, revolver, other firearm, knife, dangerous chemical, explosive, or any object which is not necessary for school activities, and which could be used as a weapon. A weapon is defined as any instrument capable of firing a projectile, the frame or receiver of any such weapon, a firearm muffler or silencer, any explosive device, or any other instrument capable of inflicting bodily harm.

In addition, other objects such as pea shooters, slingshots, and squirt guns, not normally regarded as dangerous may nevertheless inflict serious injury. These also should be removed from students whenever, in the opinion of the teacher or supervisor present, they constitute a threat to the safety of students or school employees.

The Board of Education directs the Superintendent of Schools to:

conduct an investigation involving any known case of weapons possession within the school,

remove the weapon from the student, if possible, notify parents and police of the incident; and

commence a disciplinary hearing in which a one-year suspension from school is considered.

However, after this penalty has been determined, the Superintendent of Schools will review the penalty and may modify such suspension on a case-by-case basis. If the Superintendent believes a one-year suspension penalty to be excessive, he/she may modify the penalty based on criteria including but not limited to:

1. the age of the student.
2. the student's grade in school.
3. the student's prior disciplinary record.
4. the Superintendents belief that other forms of discipline may be more effective.
5. input from parents, teachers and/or others; and
6. other extenuating circumstances.

The Superintendent shall refer any student, under the age of 16, who has been determined to have brought a firearm to school to Family Court; students over the age of 16 will be referred to the appropriate law enforcement authorities.

Students with disabilities can only be suspended consistent with the provisions of the Individuals with Disabilities Education Act and Article 89 of the Education Law.

Authorized law enforcement officers are the only people permitted on school property to have a weapon in their possession.

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Cross-ref: 4321, Students with Disabilities

5313.3, Student Suspension

5313.4, Discipline of Students with Disabilities

5330, Searches and Interrogations

Ref: Gun Free Schools Act of 1994, 20 USC ' '3351; 8921: 8922

18 USC '921

20 USC ' '1400 et seq. (IOEA)

Education Law '3214(3)

5312.2

Education Law ' '4402 et seq. (Article 89)

Honig v. Doe, 108 S. Ct. 592 (1988)

**Guidelines Concerning State and Local Responsibilities under the GunFree
Schools Act of 1994, National School Boards Association, January**

19, 1995