

# Waits River Valley Union School District

## **CODE C5 Firearms (REQUIRED)**

**Date Warned:** 04-08-21

**Date Adopted:** 06-10-21

**Date Revised:**

**Date Reviewed:**

### **Policy**

It is the policy of the Waits River Valley Union School District to comply with the federal Gun Free Schools Act of 1994 and state law requiring school districts to provide for the possible expulsion of students who bring firearms to or possess firearms at school. It is further the intent of the board to maintain a student discipline system consistent with the requirements of the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Vermont State Board of Education rules.

### **Definitions**

For the purposes of this policy, the terms "firearm" "school" and "expelled" shall be defined consistent with the definitions required by state and federal law.

### **Sanctions**

Any student who brings a firearm to school, or who possesses a firearm at school shall be brought by the superintendent to the school board for an expulsion hearing.

A student found by the school board after a hearing to have brought a firearm to school shall be expelled for at least one calendar year. However, the school board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:

1. The student was unaware that he or she had brought a firearm to school.
2. The student did not intend to use the firearm to threaten or endanger others.
3. The student is disabled and the misconduct is related to the disability.
4. The student does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the pupil.

At the discretion of the school board and administration, an expelled student may be afforded limited educational services at a site other than the school during the period of expulsion under this policy.

### **Aiding Other Students**

A student who in any way encourages another student to bring weapons to school also endangers the safety of others. The Supervisory Union/District expressly prohibits any such action. No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any weapons or facsimiles of weapons. No student shall knowingly or willingly cause, encourage or aid any other student to make, issue, or otherwise communicate by any means, a threat that a dangerous or deadly weapon has been or will be placed or used on school grounds or property. A student found to have violated this provision

may be subject to the same sanctions as a student who brings a weapon to school, or who possesses a weapon at school.

**Policy Implementation**

An expulsion hearing conducted under this policy shall afford due process as required by law and as developed by the superintendent or his or her designee.

The superintendent shall refer to appropriate law enforcement agency any student who brings a firearm to a school under the control and supervision of the school district. The superintendent may also report any incident subject to this policy to the Department of Social and Rehabilitative Services. The superintendent shall annually provide the Secretary of Education with descriptions of the circumstances surrounding expulsions imposed under this policy, the number of students expelled and the type of firearms involved.