

## **GCCSA Gun-Free Workplace/School Policy**

**Possession of Weapons** In order to provide a safe environment for the students and staff of the school, Gate City Charter School adopts this policy prohibiting the possession and/or use of dangerous weapons, replicas or facsimiles of dangerous weapons and items or instrumentalities which are used to threaten harm or are used to harm any person. Dangerous weapons, including but not limited to firearms, are a threat to the safety of the students and staff of the district. In addition, possession of dangerous weapons, or replicas or facsimiles of dangerous weapons, disrupts the educational process and interferes with the normal operation of the district.

For the foregoing reasons and except as specifically provided in paragraph 10 below, possession by any student of a dangerous weapon, as that term is defined in this policy, or a replica or facsimile of a dangerous weapon, while on school property, at a school-sponsored activity, or on a school bus or vehicle, is prohibited. Further, use of any item or instrumentality by a student to threaten harm to any person or which is used to harm any person, while on school property, at a school-sponsored activity, or on a school bus or vehicle, is prohibited. For purposes of this policy, "possession of a dangerous weapon" includes, BUT IS NOT LIMITED TO, any person having a dangerous weapon:

(1) on his or her person; (2) in his or her locker; (3) in his or her vehicle; (4) held by another person for his or her benefit; or (5) at any place on school property, a school bus or vehicle, or at a school activity. A dangerous weapon includes, BUT IS NOT LIMITED TO, a pistol, revolver, rifle, shotgun, air gun or spring gun, B-B gun, stun gun, hand grenades, fireworks, slingshot, bludgeon, blackjack, brass knuckles or artificial knuckles of any kind, nun-chucks, dagger, bowie knife, dirk knife, butterfly knife, any knife, regardless of the length or sharpness of the blade, any knife the blade of which can be opened by a flick of a button or pressure on the handle, any pocketknife, regardless of the length or sharpness of the blade, any pen knife, "credit card" knife, razor, dart, ice pick, explosive smoke bomb, incendiary device, sword cane, hand chains, firearm shells or bullets, garrottes, choking devices, mace, pepper spray, and any item whose principal purpose is for use as a weapon, whether offensive or defensive, and any replica or facsimiles of any of the foregoing items, or any item or instrumentality which is used to threaten harm or is used to harm any person or any chemical, material or substance which can cause an

irritation to or reacts with human tissue, or any chemical, material or substance used, given, applied to or administered to another person without that person's consent.

The foregoing list of "dangerous weapons" is descriptive and by way of example only and is not to be considered an exclusive or limiting list of dangerous weapons. It will not be a defense to any disciplinary action under this policy that the student possessing the dangerous weapon did not know that it is dangerous weapon, but such claim of a lack of knowledge may be considered in mitigation of any disciplinary penalty.

Any student in possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, in violation of this policy or who uses any item or instrumentality to threaten harm to any person or is used to harm any person may be placed under emergency suspension from school, pending an investigation of the incident by the appropriate school or legal authorities. Students who violate this policy may be suspended from school, barred from school property and all school activities for any period of time up to the maximum period authorized by law. Additionally, appropriate school staff members may seek to file criminal charges against the student.

**Suspicion of Possession:** If a teacher or other school employee has a reasonable suspicion to believe that a student is in possession of a dangerous weapon, or a replica or facsimile of a dangerous weapon, the teacher or employee shall immediately investigate the matter and shall confiscate any such weapon found if this can be accomplished without placing any students or staff in jeopardy, and shall immediately notify the principal or the principal's designee. If the teacher or employee does not believe that the weapon can be confiscated safely, the teacher or employee shall immediately notify the Director of the situation. If the Director or their designee learns that a student is believed to be in possession of a dangerous weapon or replica or facsimile thereof, the Director or designee shall observe the following procedure:

1. Immediately investigate the matter and contact the police or campus security, if appropriate.
2. If not already confiscated by an employee of the district and if it can be accomplished without risk of injury, the principal or designee should take possession of the dangerous weapon or replica or facsimile.
3. Notify the Board of Trustees.
4. Notify the student's parents.
5. Cooperate fully with the police.
6. Transfer confiscated weapons to the police department, if feasible.

### **Transfer Students**

A student who has been suspended from another school district because of the possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, shall not be accepted as a transfer student into Gate City.

### **Unintentional Possession**

A student's inadvertent or unintentional possession of a dangerous weapon or replica or facsimile thereof on school property, a school bus or vehicle, or at a school activity is no defense or excuse to compliance to this policy, but may be considered in determining the length or severity of any punishment for violation of this policy. Notwithstanding any of the foregoing provisions, rights of due process for all students and rights of disabled students must be observed in accordance with applicable law and school board policies.

### **GUN FREE SCHOOLS: STUDENT SUSPENSION FOR POSSESSION OF A DANGEROUS WEAPON**

Any student who is determined to have: ▪ brought a weapon to a school under the jurisdiction of the district; or possessed a weapon within two thousand (2,000) feet of public school property; or ▪ possessed a weapon at a school event shall be suspended out of school for a period of not less than one calendar year. Any out-of-school suspension imposed under this policy may be modified for any student on a case-by-case basis by the Board of Trustees or the Director. For the purposes of this policy, the following definitions shall control: ▪ The term "weapon" means a firearm as such term is defined in Section 921 of Title 18 of the United States Code. ▪ The term "chief administrative officer" means the Director or the Board of Trustees. ▪ The term "determined to have brought a weapon to a school under the jurisdiction of the district" means any student being in possession or control of a weapon on property owned, leased or rented by Gate City, including, but not limited to, school buildings, parking lots and any student who is in possession or control of a weapon at any school- sponsored function regardless of whether such function is conducted on school property. Enforcement of this policy shall be consistent with state and federal laws dealing with discipline of students with disabilities. Students who violate this policy will be referred to the appropriate criminal justice or juvenile delinquency system. Any firearm seized from a student by any school employee shall immediately be delivered to a law enforcement authority for disposition pursuant to applicable law. **Gun-Free Workplace/School Policy**

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**Reviewed** by BOT January 2022