

WEAPONS IN SCHOOL

I. 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. 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 Virginia Code §22.1-277.07 (E) designed or intended to propel a projectile of any kind, including a rifle,
- unloaded firearms in closed containers,
- any air rifle or BB gun,
- toy guns and look-alike guns,
- any dirk, knife or razor,
- slingshots,
- spring sticks,
- brass or metal knuckles, blackjacks,
- any flailing instrument which may be known as a nunchahka, nunchuck, nunchaku, shuriken, or fighting chain,
- any disc of whatever configuration, having at least two points or pointed blade, and which is designed to be thrown known as a throwing star or oriental dart,
- explosives, and
- destructive devices as defined in Virginia Code §22.1-277.07(E) or other dangerous articles.
- ~~The disciplinary sanction for bringing a firearm or pneumatic gun to school or to a school-sponsored activity is expulsion for at least one year in accordance with Policy JGD/JGE. (This policy allows for the School Board or the disciplinary hearing officer to determine that another disciplinary action is appropriate.)~~ 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.¹

II. Students with Disabilities

¹ If the School Board adopts such a regulation, it must ensure that any disciplinary action imposed is taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

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 nondisabled student provided the manifestation review committee determines that the violation 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) school days when the student carries or possesses a weapon to 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 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 removal, the weapon must meet the following definition:

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

Adopted: December 11, 2003
Amended: September 6, 2007; October 22, 2009

Legal Refs.: 18 U.S.C. ~~§ Section~~ 930(g)(2); 20 U.S.C. §1415(k)(1)(G)(i);
Code of Virginia, §§18.2-308, 18.2-308.1, 18.2-308.7, 22.1-277.07; [277.07:1](#)
Wood v. Henry County Public Schools, 255 Va. 85, 495 S.E.-2d 255 (1998).
8 VAC 20-81-10 ~~9-68~~

Cross Refs.: JGD/JGE, Student Suspension/Expulsion
JFC, Student Conduct
JGDA, Disciplining Students With Disabilities