

PELHAM SCHOOL DISTRICT POLICY JICI – WEAPONS ON SCHOOL PROPERTY

Category: Priority

Weapons are not permitted in school buildings, on school property, in school vehicles, or at school-sponsored activities. This policy applies to students and members of the public alike. The Board makes the exception that weapons under control of law enforcement personnel are permitted.

Student's violations of this policy will result in both school disciplinary action and notification of local law enforcement authorities. Members of the public who violate this policy will be reported to local law enforcement authorities.

The term "weapons" includes, but is not limited to firearms (rifles, pistols, revolvers, pellet guns, BB guns, etc.) knives, slingshots, metallic knuckles, firecrackers, billy-clubs, stilettos, switchblade knives, swords, canes, pistol canes, black jacks, daggers, dirk knives, explosives, incendiaries, martial arts weapons (as defined by RSA 159:24) or electronic defense weapons (as defined in RSA 159:20).

"Weapon" is further defined as any device, instrument, material, or substance which, in the manner it is used or threatened to be used, is known to be capable of producing death or bodily injury.

In addition, any student who is determined to have brought or possess a firearm (as defined by 18 U.S.C. §921) in a safe school zone as defined in RSA 193-D:1 without written authorization from the Superintendent or designee will be expelled for not less than one year (365 days). This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

Pursuant to the provisions of 20 U.S.C. § 7151, Gun-Free Schools Act, the Board requires the Superintendent to contact local law enforcement authorities and/or the Division of Children and Youth Services and notify them of any student who brings a firearm or weapon on school property.

Any pupil who brings or possesses a firearm as defined in section 921 of Title 18 of the United States Code in a safe school zone as defined in RSA 193-D:1 without written authorization from the superintendent or designee shall be expelled from school by the local school board for a period of not less than 12 months. This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

All students will receive written notice of this policy at least once each year.

The Superintendent or principal may exercise his/her best judgment in determining the scope of this policy as it relates to inadvertent or unintentional violations of this policy, provided such inadvertent or unintentional violation of this policy does not affect the safety of students, school staff, or the public. However, for mandatory expulsions under the Gun-Free Schools Act, only the Superintendent has authority to modify the expulsion requirement.

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District Policy History:

Adopted: November 22, 2006

Revised: August 10, 2022

Legal References:

18 U.S.C. § 921, Et seq., Firearms

20 U.S.C. § 7151, Gun-Free Schools Act

RSA 193:11, Disturbance

RSA 193-D, Safe School Zones

RSA 193:13, Suspension and Expulsion of Students

NH Code of Administrative Rules, Section Ed. 317, Standards and Procedures for Suspension and Expulsion of Pupils Including Procedures Assuring Due Process

Appendix: JICD-R

Appendix: JICI-R