

Weapons in School

The Charter Board determines that possession and/or use of a weapon by students is detrimental to the welfare and safety of the students and school personnel within the charter school.

Mandatory expulsion in accordance with state and federal law

Carrying, bringing, using, or possessing a dangerous weapon in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity without the authorization of the charter school is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

If a student discovers that he or she has carried or brought, or is in the possession of a dangerous weapon and the student notified a teacher, administrator, or other authorized person in the charter school, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory and such action shall be considered when determining appropriate disciplinary action, if any.

As used in the policy, “dangerous weapon” means:

- a. A firearm, whether loaded or unloaded, or a firearm facsimile that could reasonably be mistaken for an actual firearm.
- b. Any pellet, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
- c. A fixed blade knife with a blade that measures three inches or longer in length, or a spring loaded knife or a pocket knife with a blade three inches or longer.
- d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including, but not limited to slingshot, bludgeon, brass knuckles, or artificial knuckles of any kind.

The administrator shall initiate expulsion proceedings immediately for students that violate this policy.

In accordance with federal law, expulsion shall be for no less than one full calendar year for a student who is determined to have brought a firearm to school. The administrator may modify the length of this federal requirement for expulsion on a case-by-case basis.*

Local restrictions

The Charter Board determines that extra precautions are important and necessary to provide for student safety. Therefore, the carrying, bringing, using, or possessing of any knife, regardless of the length of the blade, in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity without express authorization is prohibited. Students who violate this policy shall be referred for appropriate disciplinary proceedings. However, if a student discovers that he or she has carried, brought or is in possession of a knife and the student notifies a teacher, administrator or other authorized person in the charter school, and as soon as possible delivers the knife to that person, expulsion shall not be mandatory and such action shall be considered when determining appropriate disciplinary action, if any.

The charter school shall maintain records which describe the circumstances involving expulsions of students who bring weapons to school including the name of the school, the number of students expelled, and the types of weapons involved as required by law.

Charter school personnel shall refer any student who brings a firearm or weapon to school without authorization of the charter school to law enforcement, unless the student has delivered the firearm or weapon to a teacher, administrator or other authorized person in the charter school as soon as possible upon discovering it. In such cases charter school personnel shall consult with law enforcement to determine whether referral of the student to law enforcement is necessary and how to properly dispose of the firearm or weapon or return it to its owner.

LEGAL REFS.: 18 U.S.C. 921 (a)(3) (federal definition of “firearm”)
20 U.S.C. 8921 *et seq.* (Gun-Free Schools Act of 1994)
C.R.S. 22-32-109.1 (2)(a)(VII) (policy required as part of safe schools plan)
C.R.S. 22-33-106 (1)(d)

CROSS REFS.: JK*-2, Discipline of Students with Disabilities
JKD/JKE, Suspension/Expulsion of Students
KFA, Public Conduct on School Property

NOTE: As a condition of receiving federal funds the school district is required to expel for one calendar year students who bring firearms to school. The district is required to include a description of the circumstances surrounding these expulsions, the name of the school concerned, the number of students expelled and the types of weapons.

The language allowing the superintendent to modify the length of expulsion on case-by-case basis is intended to permit the district to discipline students with disabilities and maintain eligibility for federal financial assistance. It is important to note that federal law requires that educational services must continue although they may be provided in another setting for students with disabilities who are properly expelled.

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Lake George Charter School
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