

WEAPONS

The board believes weapons and other dangerous objects and look-a-likes in school district facilities including concealed weapons cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

This shall not apply to the issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers' Officers Training Corps, peace officers, authorized law enforcement officers, or authorized retired law enforcement officers when on duty or training.

Weapons and other dangerous objects and look-a-likes shall be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

The term "dangerous object" shall include noxious or flammable material, fireworks, devices intended to administer an electric shock (tasers, electric batons, prods, or stun guns) chemical weapons (i.e. mace, pepper spray), martial arts weapons or other instruments including those which eject a projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use.

Parents of students found to possess weapons or dangerous objects or look-a-likes on school property shall be notified of the incident. Confiscation of weapons or dangerous objects including concealed weapons shall be reported to the law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms as defined in 18 U.S.C. 921 to school or knowingly possessing firearms including concealed firearms at school may be expelled for a period of not less than one year. Students bringing to school or possessing dangerous weapons, including firearms, will be referred to law enforcement authorities. The superintendent shall have the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Weapons or dangerous objects under the control of law enforcement officials shall be exempt from this policy. ~~Firearms kept in a locked firearm rack that is on a motor vehicle or that are~~ This policy does not prohibit firearms contained ~~within~~ within a private vehicle operated by a nonstudent adult or prohibited person that are locked inside the

Approved _____ Reviewed _____ Revised _____

not loaded are also exempt. glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, other than an autocycle, a hardened compartment securely attached to the motorcycle while the vehicle is in or on such parking area. Firearms also may be possessed by a person for the purpose of using them, with the approval of the school, in a historical reenactment, in a hunter education program, or as part of an honor guard. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes and must be kept in a designated location during the school day. Such a display shall also be exempt from this policy. It shall be the responsibility of the superintendent, in conjunction with the principal, to implement this policy.

Approved _____ Reviewed _____ Revised _____

Legal Reference:

Neb. Statute 79-263

Neb. Statute 28-1204.04

Improving America's Schools Act of 1994, P.L. 103-382.

18 U.S.C. § 921 (1994).

McClain v. Lafayette County Bd. of Education, 673 F.2d
106 (5th Cir. 1982).

Cross Reference:

505 Student Discipline

508 Student Health and Well-Being