

FIREARM OR DEADLY WEAPONS IN SCHOOL

The Board recognizes the fact that students learn best in an environment that is safe, stable, secure, and oppression free.

CODE OF CONDUCT

It shall be a violation of this policy for any person to carry, possess, handle, use, brandish, or threaten to use any weapon while participating in any school activity and/or on school property.

DEFINITIONS

A "weapon" is defined as follows:

- 1) An instrument that is designed to be used to produce serious bodily injury or death or is readily adaptable to such use. A weapon shall include, but is not limited to, black jacks, gravity knives, knives, switchblade knives, bombs, nunchukas, and other martial art devices, metallic or false knuckles, and any type of firearm, or

- 2) Articles designed for other purposes but which can easily be used to inflict bodily injury and which are being carried, possessed, handled, used, or brandished for the purpose of inflicting or threatening bodily harm. This term shall include, but is not limited to, belts, bats, chains, clubs, scissors, tools, explosives, incendiary charges, and chemicals.

A firearm as defined in Section 921 Title 18 of the United States Code would include the following:

- Any weapon which will, or is designed to, or may be readily converted to expel a projectile by the action of an explosive,
- The frame or receiver of any weapon described above,
- Any firearm muffler or firearm silencer,
- Any explosive, incendiary, or poison gas,

SCHOOL ACTIVITY

"School activities" shall include, but not be limited to the following:

- 1) Any activity on any real estate owned by the Hardy County Board of Education.
- 2) Any activity conducted under the auspices of Hardy County Schools when a student(s) is scheduled to be in attendance, regardless of whether a student is in actual attendance.
- 3) While a student is in transit to or from any school or extracurricular activity.
- 4) Any offense against an employee of the Hardy County Board of Education regardless of the time or place.

PENALTY

Any violation of this policy by a student shall result in a penalty as defined in West Virginia Code § 18A-5-1 and § 18A-5-1a and State Board Policy 2419, the Safe Schools Act and Public Law 103-382.

SOURCE: Hardy County Board of Education Minutes

DATE: April 25, 1994 - August 28, 1995 - April 8, 2002

LEGAL SOURCE: West Virginia Code § 61-7-2, § 61-7-10, § 61-7-11, § 61-7-1a
§ 18A-5-1, § 18A-5-1a - State Board Policy 2419, Safe Schools Act,
Public Law 103-382

JD FIREARMS WEAPONS