

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, shall be expelled for a definite period of time of at least one (1) calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with I.C. 33-205.

Possession of a Weapon on School Property – Misdemeanor

It is unlawful and is a misdemeanor for any person to possess a firearm or other deadly or dangerous weapon while on the property of a school or in those portions of any building, stadium or other structure on school grounds, which, at the time of the violation, were being used for an activity sponsored by or through a school in this state or while riding school provided transportation. This also applies to students of schools while attending or participating in any school sponsored activity, program or event regardless of location.

As used in this section of this Policy only:

- (a) "Deadly or dangerous weapon" means any weapon as defined in 18 U.S.C. section 930;
- (b) "Firearm" means any firearm as defined in 18 U.S.C. section 921;

Any person who possesses, carried or stores a weapon in a school building or on school property except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the District.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry or store a weapon in a school building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess, carry or store a weapon in a school building.

This section of this policy does not apply to:

- 1. Law enforcement personnel;
- 2. Any adult over eighteen (18) years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a

- firearm or other deadly or dangerous weapon, secured and locked in his vehicle in an unobtrusive, non-threatening manner;
3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students or school employees to and from school or a school activity;
 4. A person or an employee of the school or school district who is authorized to carry a firearm with the permission of the board of trustees of the school district or the governing board.



LEGAL REFERENCE:

Idaho Code Sections 33-205, 917, 18-3302D, 33-1224

29 U.S.C. 701

20 U.S.C.8921, et seq.

ADOPTED: 12/8/97

AMENDED: 7/10/00, 6/13/05