

**Adopted June 1992**

**Revised April 2005**

**Revised June 2007**

**Revised May 2008**

**Revised August 2009**

**Revised June 2010**

**Revised June 2012**

**Reviewed February 2016**

**Revised June 2016**

**Revised October 2018**

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## **WEAPONS IN SCHOOL**

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The Board of Education determines that student possession, use and/or threatened use of a weapon is detrimental to the welfare and safety of the students and school personnel within the district.

Violent behavior and the use of weapons in schools and at school-related activities or events is a matter of increasing concern across the country and in this district. Accordingly, the Board of Education hereby reaffirms its position that violence and weapons have no place in educational environments of Aurora Public Schools. To address this serious problem, the Board of Education directs that, without exception, any student of this district who is involved in a weapons offense as outlined below shall be disciplined as provided in this policy. This policy shall be in effect in all schools in the district, from kindergarten through high school, and shall apply to all other programs including preschool, post-secondary and T.H. Pickens Technical College.

### **Dangerous weapons**

Using, possessing or threatening to use a dangerous weapon on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or the school district 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.

As used in this policy, "dangerous weapon" means:

- a. A firearm.
- b. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.

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- c. A fixed blade knife with a blade that exceeds three inches in length.
- d. A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length.
- e. Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury including, but not limited to, a slingshot, bludgeon, nunchucks, brass knuckles or artificial knuckles of any kind.

Students who use, possess or threaten to use a dangerous weapon in violation of this policy may be subject to disciplinary action in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

In accordance with federal law, recommendation for expulsion shall be mandatory for no less than one full calendar year for a student who is determined to have brought a firearm to or possessed a firearm at school in violation of this policy. The superintendent may modify the length of this federal requirement for expulsion on a case-by-case basis. Such modification shall be in writing.

### **Firearm facsimiles**

Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when such conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or school district is prohibited. Students who violate this policy provision may be subject to disciplinary action, including but not limited to suspension and/or expulsion, in

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accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

A student may seek prior authorization from the building principal to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property for purposes of a school-related or non-school related activity. A student's failure to obtain such prior authorization is a violation of this policy provision and may result in disciplinary action, including but not limited to suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions. The principal's decision to deny or permit a student to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property shall be final.

School administrators shall consider violations of this policy provision on a case-by-case basis to determine whether suspension, expulsion or any other disciplinary action is appropriate based upon the individual facts and circumstances involved.

### **Due Process**

The due process procedures found in the District's policy JKD-JKE relating to suspension and expulsion of a student shall also apply to weapons offenses. Consequently, the due process checklist found in that policy is to be completed and a student shall have the right to contest the recommended disciplinary action. The student's right to contest the recommended action shall be limited to arguing that the facts of the case do not fit the definition of "offense" under this policy. If the hearing officer or Board of Education finds that an "offense" has been committed, the discipline outlined in this policy shall be imposed.

This weapons policy shall be explained to all students at the beginning of each school year and upon the registration of new students. In addition, this policy shall be sent home to all parents/guardians each school year in some fashion, for example by being made a part of school

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handbooks, calendars, or the district safe schools booklet. In addition, this policy shall be made available on the district website at <http://aurorak12.org/about-aps/district-policies/>.

**Local restrictions**

The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, the using, possessing or threatening to use any *knife*, regardless of the length of the blade, on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, without authorization of the school or school district is prohibited. Students who violate this policy provision shall be subject to disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

**Referral to law enforcement**

In accordance with applicable law, school personnel shall refer any student who brings a firearm or dangerous weapon to school without authorization of the school or the school district to law enforcement.

**NOTE:** The fact that a situation is not covered by this policy does not prevent discipline from being imposed or recommended under policy JKD/JKE.

**LEGAL REFS:** 18 U.S.C. §921 (a)(3) (federal definition of “firearm”)  
20 U.S.C. §7151 (Gun-Free Schools Act)  
20 U.S.C. §7151 (h) (requiring schools to have policies requiring referral to law enforcement)  
C.R.S. 22-32-109.1(2)(a)(I)(G)(policy required as part of safe schools plan)

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C.R.S. 22-33-102 (4) (definition of dangerous weapon)

C.R.S. 22-33-106 (1) (grounds for suspension, expulsion, denial of admission)

C.R.S. 22-33-106 (1)(f) (must adopt a policy regarding firearm facsimiles)

**CROSS REFS.:** JK.3, Discipline of Students with Disabilities  
JKD/JKE, Suspension/Expulsion of Students  
KFA, Public Conduct on School Property  
KLG, Relations with Law Enforcement Agencies