

Milton Town School District

Procedures

F21-P: WEAPONS PROCEDURES

Procedures

1. **Confiscation of the Weapon** – Administrators or other delegated school officials will exercise judgment and caution, using law enforcement if necessary, to confiscate any article identified as a weapon under this policy. Any such actions should be taken so as to minimize the risk of further endangering self or others.
2. **Notification of Law Enforcement** – Where the student’s possession or use of a weapon (see Definitions items c and d above) may constitute a criminal violation, school officials shall immediately notify the appropriate law enforcement agency.
3. **Disciplinary Actions** - Any student who brings a weapon to or possesses a weapon at school shall be subject to one or more of the following immediate disciplinary actions as deemed appropriate by the school administrator in consultation with the Superintendent or his/her designee:
 - a. Parental notification.
 - b. Implementation of a safety plan.
 - c. Restriction from school activities, such as but not limited to recess, athletics, or after school clubs or activities.
 - d. Immediate suspension from school, possibly followed by a short-term out-of-school suspension.

Disciplinary Proceedings

A student found to have brought a weapon to school (see Definitions items c and d above) may be brought to the school board for a hearing and subject to a long-term suspension from school for the remainder of the school year or up to 90 school days, whichever is longer. However the Board may modify the expulsion or long-term suspension on a case by case basis when it finds circumstances such as, but not limited to:

1. The student was unaware that he or she had brought a weapon to school.
2. The student did not intend to use the weapon to threaten or endanger others.
3. The student is disabled and the misconduct is related to the disability.
4. The student does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the pupil.

Date Warned: 9/13/2018

Date Adopted: 3/11/13

Date Revised: 10/08/2018

Legal Reference(s): 16 V.S.A. §1166 (State law pursuant to Federal law)

13 V.S.A. §§4004, 4016 (Criminal offenses)

20 U.S.C. §7151 (Gun Free Schools Act)

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18 U.S.C. §921 (Federal definition of firearms)

20 U.S.C. §§1400 et seq. (IDEA)

29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)

Vt. State Board of Education Manual of Rules & Practices, §§4311, 4312

Cross Reference:

Student Conduct and Discipline (F1)

Search and Seizure (F3)

Searches, Seizures, and Interrogations of Student by Law Enforcement

Personnel or Other (F4)