

Weapons and Dangerous Instruments

Students shall not possess firearms, facsimiles or realistic replicas of firearms, weapons, or dangerous instruments of any kind on school grounds or buildings, nor on school buses, nor at any school-related or school-sponsored activity away from school facilities. Firearms, weapons, and dangerous instruments shall include those defined by law (18 U.S.C. 921, C.G.S. 53a-3, and 53-202 to 53-206, and 29-35). Such weapons include, but are not limited to, any pistol, revolver, rifle, shotgun, air gun or spring gun; slingshot; bludgeon; brass knuckles or artificial knuckles of any kind; knives having a blade of greater than two inches, any knife the blade of which can be opened by a flick or a button or pressure on the handle, or any pocketknife where the blade is carried in a partially opened position; martial arts weapon; destructive device. Pursuant to federal law, the term “firearm” includes, but is not limited to, any weapon 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 destructive device.

The possession of, use, or bringing such weapons or devices on school grounds or other areas under the control of the Board of Education may also be a violation of criminal law, and therefore any violation of this policy shall be reported immediately to the local law enforcement agency, the Board of Education, and, if possible, the parent or guardian. Students who violate this policy shall be subject to appropriate disciplinary action as well as possible court action.

A student’s conduct off school grounds that is seriously disruptive of the educational process or violative of the Board’s publicized policies may also be grounds for expulsion. A student found to be in possession of a firearm or dangerous weapon, as defined by law and in violation of this policy, shall be subject to an expulsion of one calendar year. The Board of Education or hearing board / officer may modify the period of expulsion on a case by case basis. To comply with federal law, any finding of an exception shall be

#5090.8 (continued)

reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

Any dangerous device or weapon may be seized by an employee of the school system under the power granted to the Board of Education to maintain order and discipline in the schools, and to protect the safety of students, staff and the public.

Every employee seizing any weapon or dangerous instrument under the provisions of this policy shall report the incident to the building principal immediately, and deliver the seized device to the principal, together with the names of persons involved, witnesses, location and circumstances of the seizure.

If an employee knows or has reason to suspect that a student has possession of such a device but the device has not been seized, the employee shall report the matter to the principal immediately, and the principal shall take such action as it is appropriate. The principal shall report all violations of this policy to the Superintendent or designee, and to the local law enforcement agency on approval of the Superintendent or designee.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

(cf. 5110.4 - Suspension / Expulsion; Due Process)
(cf. 5090.8.1 - Search and Seizure)
(cf. Madison Public Schools Crisis Management Manual)
(cf 5090.1.4 Student Misconduct in Schools)
(cf 5090.3.4 Out of School Misconduct)

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules
10-233a through 10-233f – Expulsion as amended by PA 95-304
53a-3 Definitions
53a-217b – Possession of firearms and deadly weapons on school grounds
53-206 Carrying and sale of dangerous weapons
PA 94-221 An Act Concerning School Discipline and Safety
GOALS 2000: Educate America Act
18 U.S.C. 921 Definitions

#5090.8 (continued)

USCA 7151 – No Child Left Behind Act

Date of Adoption: September 5, 1995
Date of Revision: August 16, 2005
Date of Revision: February 8, 2006