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J. Vance Lee Superintendent  
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## CAPITAN MUNICIPAL SCHOOLS BOARD OF EDUCATION

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### *AGENDA ITEM EXECUTIVE SUMMARY*

1. Board Meeting Date: December 16, 2024
2. Item Title: V.A.1 CMS Board Policy J-3100/JICI Weapons in School - Second Reading
3. Name of Presenter: J. Vance Lee, Superintendent
4. This item is for:  Action  Consent Agenda  Discussion  Report/Information
5. Proposed Motion (Action Items Only): I move that we approve the revisions to policy J-3100/JICI , as presented.
6. Executive Summary: This discussion and possible action is for the specific purpose to clean up some legal language that was not addressed in November. Please see attached.

**J-3100 © JICI  
WEAPONS IN SCHOOL**

No student shall knowingly and intentionally carry or possess a weapon or simulated weapon on school premises without authorization by a school administrator. No student shall use or threaten to use a weapon or simulated weapon to disrupt any activity of the District.

Any employee who observes any person in possession of a weapon or simulated weapon on school premises shall immediately report the matter to the school administrator. A school administrator who observes or receives a report of a student possessing a weapon on school premises shall immediately take appropriate safety and disciplinary actions in accordance with District policies and shall immediately report a violation of this policy to a peace officer.

A student who violates this policy by knowingly and intentionally carrying or possessing a **firearm** **weapon** shall be placed in an alternative education program for a period of not less than one (1) year, suspended for a period of not less than one (1) year, or expelled and not be readmitted within a one (1)-year period, if ever. The Superintendent may modify the one (1)-year duration of such disciplinary action on a case-by-case basis.

A student who violates this policy by any means other than carrying or possessing a firearm shall be subject to disciplinary action, including but not limited to expulsion. Disciplinary action against a student with one (1) or more disabilities shall be applied on a case-by-case basis in accordance with District policies and state and federal special education laws.

For the purposes of this policy:

- *Weapon* means any of the following:
  - A knife, regardless of length of blade.
  - A destructive device.
  - A dangerous instrument.
- *Simulated weapon* means an instrument displayed or represented as a weapon.
- *Firearm* means any of the following:
  - Any loaded or unloaded gun that will, that is designed to, or that may readily be converted to expel a projectile by the action of an explosive.

- The frame or receiver of any such firearm.
  - Any firearm muffler or silencer.
  - Any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive charge of more than one-fourth (1/4) ounce, mine, or similar device.
  - Any combination of parts that could be readily assembled to form a firearm.
- *Destructive device* means:
    - Any device other than a firearm that will, or is designed to, or may be readily converted to expel a projectile by any means of propulsion, such as a BB/pellet gun, slingshot, bow, or crossbow.
    - Any collection of parts that could be readily assembled to form a destructive device.
  - *Dangerous instrument* means anything other than a firearm, knife, or destructive device that is carried or possessed by a student for the purpose of being used or being available for use to cause death or inflict serious physical injury.
  - *School premises* means the school, school grounds, school buses, or any premises, grounds, or vehicles used for school purposes and includes premises where school-sponsored events (for example, athletic games and competitions, music competitions, etc.) are held away from District property.
  - *Deadly weapon* means any weapon designed for lethal use, including a firearm.

*Adopted:* date of manual adoption

*Revised:* December 16, 2024

LEGAL REF.: [22-5-4.7 NMSA](#)  
[\(1978\) 30-7-2.1 NMSA \(1978\)](#)

[20 U.S.C. 7151](#)

CROSS REF.: [JIC - Student Conduct](#)  
[JIH - Interrogations, Searches, and Arrests](#)  
[JK - Student Discipline](#)  
[JKD - Student Suspension/Expulsion](#)