

4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Definitions

"Firearm" means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

"Possession" means having a weapon on the student's body or in an area under the student's control.

"Weapon" means any:

- Firearm;
- Knife;
- Razor;
- Ice pick;
- Dirk;
- Box cutter;
- Nunchucks;
- Pepper spray, mace, or other noxious spray;
- Explosive;
- Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or
- Any other instrument or substance capable of causing bodily harm.

No student except for Military personnel (such as ROTC cadets) acting in the course of their official duties or as otherwise expressly permitted by this policy, shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon before or after school while: ~~in school, on or about school property, before or after school, in attendance at school or any school sponsored activity, on route to or from school or any school sponsored activity, off the school grounds at any school bus stop, or at any school sponsored activity or event.~~ Military personnel, such as ROTC cadets, ~~acting in the course of their official duties are exempted.~~

- In a school building;
- On or about school property;
- At any school sponsored activity or event;
- On route to or from school or any school sponsored activity; or
- Off the school grounds at any school bus stop.

~~A weapon is defined as any firearm; knife; razor; ice pick; dirk; box cutter; nunchucks; pepper spray; mace, or other noxious spray; explosive; Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or any other instrument or substance capable of causing bodily harm. For the purposes of this policy, "firearm" means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.~~

~~Possession means having a weapon, as defined in this policy, on the student's body or in an area under his/her control.~~ If a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her

person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be considered to be in possession of a weapon unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student's parent/legal guardian shall pick up the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of ~~not less than~~ one (1) year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.

Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The mandatory expulsion requirement for possession of a firearm does not apply to a firearm brought to school for the purpose of participating in activities approved and authorized by the district that include the use of firearms. Such activities may include ROTC programs, hunting safety or military education, or before or after-school hunting or rifle clubs. Firearms brought to school for such purposes shall be brought to the school employee designated to receive such firearms. The designated employee shall store the firearms in a secure location until they are removed for use in the approved activity.

The district shall report any student who brings a firearm to school to the criminal justice system or juvenile delinquency system by notifying local law enforcement.

Legal References: [A.C.A. § 5-4-201](#)
[A.C.A. § 5-4-401](#)
[A.C.A. § 5-27-210](#)
[A.C.A. § 5-73-119\(b\)\(e\)\(8\)\(9\)\(10\)](#)
[A.C.A. § 5-73-133](#)
[A.C.A. § 6-18-502 \(e\)\(2\)\(A\)\(B\)](#)
[A.C.A. § 6-18-507 \(e\)\(1\)\(2\)](#)
[A.C.A. § 6-21-608](#)
~~[A.C.A. § 5-4-201](#)~~
~~[A.C.A. § 5-4-401](#)~~
~~[A.C.A. § 5-27-210](#)~~
~~[A.C.A. § 5-73-119\(b\)\(e\)\(8\)\(9\)\(10\)](#)~~

~~A.C.A. § 5-73-133~~

DESE Rules Governing Student Discipline and School Safety

20 USC § ~~7151~~ 7961

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