

FRANKLIN CENTRAL SUPERVISORY UNION AND ITS MEMBER SCHOOL DISTRICTS

COMMON PROCEDURE FOR WEAPONS POLICY F21

Definitions

A. “Weapon” means:

1. Any knife, dagger, switchblade, or folding knife with a blade. Any folding knife with a blade less than two inches, including a pocket knife and pen knife, shall be considered a dangerous or deadly weapon if it is used, threatened to be used, or possessed in a threatening manner, or with the intent to cause harm to any person.
2. Any other weapon, device, instrument, material, or substance, whether animate or inanimate, which in the manner it is used or is intended to be used, is known to be capable of producing death or serious bodily injury.
3. Firearms, as defined in Section 921 of the Federal Gun-Free Schools Act, including the following:
 - a. Any weapon (including a starter pistol) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive, gas, or air;
 - b. The frame or receiver of any weapon described above;
 - c. Any firearm muffler or firearm silencer;
 - d. Any destructive device, including explosives, incendiaries, or poison gas, (unless under the supervision of a teacher and used as part of the curriculum) including but not limited to:
 - (1) Bomb;
 - (2) Grenade;
 - (3) Rocket having a propellant charge of more than four ounces;
 - (4) Missile having an explosive or incendiary charge of more than one-quarter ounce;
 - (5) Mine; or
 - (6) Similar device;
 - e. For purposes of application and enforcement of this policy, a B-B gun, pellet gun, or similar device is considered a weapon;
 - f. Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples and from which a destructive device may be readily assembled;
 - g. A hoax device, defined as any device so designed, assembled, fabricated, or manufactured as to convey the physical appearance of an explosive or incendiary bomb, or the physical appearance of any of the devices enumerated in subdivisions (a)-(f) of this section, which is lacking an explosive or incendiary charge.

- #### B. “School” means: facilities, buildings, fields and grounds areas; vehicles owned, leased, or used by Franklin Central Supervisory Union or its member districts to transport students to and from school or school activities; parking lots (including vehicles in the parking lots); or any other setting, which is under the permanent or temporary supervision and/or control of Franklin Central Supervisory Union and/or its member districts.

- C. **“Expelled”** means to prohibit a student from participation in daily classes at school and/or participating in any school-sponsored activities.

POLICY IMPLEMENTATION

1. Under this policy, students shall be afforded due process as required by law and as determined by the Superintendent and school policy.
2. The Superintendent/designee shall refer to appropriate law enforcement agency any student who brings a weapon to school under the control and supervision of the District. The Superintendent/ designee may also report any incident subject to this policy to the Department of Social and Rehabilitative Services.¹
3. The Superintendent/designee shall annually provide to the Commissioner of Education, a description of the circumstances surrounding expulsions imposed under this policy, the number of students expelled, and the type of firearms²/weapons involved.

¹ 16 V.S.A. § 1166(b)(1); 20 U.S.C. § 7151(h)(1). The Gun Free Schools Act stipulates that “no (federal) funds shall be made available to any local education agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency.”

² This requirement is imposed by 16 V.S.A. § 1166 (c).