

## **WEAPONS IN SCHOOL**

The Board of Education recognizes that the presence of weapons in school not only creates unacceptable risks of injury or death, but also creates a climate that undermines the educational purposes of the schools. Accordingly, it is the policy of the Board of Education to forbid the possession, custody, and use of weapons by unauthorized persons in or around school property.

In furtherance of this purpose, it is every student's personal responsibility and duty to ensure that he or she does not possess weapons at school. This duty extends to the responsibility to ensure that all of a student's personal property and any possessions are free of weapons at school. This includes vehicles driven onto school property regardless of ownership of the vehicle.

This policy is enacted to implement the requirements of the federal Gun-Free Schools Act, 20 U.S.C. Section 7151, and NMSA 1978 Section 22-5-4.7 and it is the intention of the Board that it be interpreted to conform to provisions of applicable federal and state law.

### **A. Definitions**

1. *Weapon*: For purposes of this policy, a "weapon" is any firearm, any knife, any explosive device, any destructive device that is an explosive or incendiary device, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter-ounce, mine or similar device or any other objects (even if manufactured for a nonviolent purpose), or any "look-a-like" object that resembles an object that has a potentially violent use, if, under the surrounding circumstances, the purpose of keeping or carrying the object is for use, or threat of use, as a weapon.
2. *Firearm*: For purposes of this policy, and for purposes of compliance with the federal Gun-Free Schools Act, a "firearm" is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device.

### **B. Prohibitions**

It is the policy of the board that no student shall bring a weapon into a school zone, nor carry or keep any weapon in a school zone or while attending or participating in any school activity, including during transportation to or from such activity except a student engaged in army, navy, marine corps or air force

reserve officer training corps programs or state-authorized hunter safety training instruction;

C. Enforcement

1. This policy shall be enforced according to the board's Student Rights and Responsibilities policy
2. In addition to penalties imposed by board policy, the district may, after consideration of the surrounding circumstances, refer to the appropriate law enforcement authority any student who possesses a weapon in violation of this policy. Any student who possesses a firearm in violation of this policy will be referred to the appropriate law enforcement authority.

D. Penalties for Violations

1. Any student found to be in violation of this policy shall be subject to discipline, including short-term, in or out of school suspension not to exceed ten days, long-term suspension, and expulsion.
2. In compliance with the federal and state Gun Free Schools Acts, any student found to be in violation of this policy due to a knowing possession of a firearm, as defined in this policy, shall, at a minimum, be expelled from school for a period of not less than one year, provided that the Superintendent or the Board of Education may modify such penalty in appropriate cases at their discretion provided such modification is in writing.
3. This policy shall be interpreted in a manner consistent with the Individuals with Disabilities Education Act (IDEA).
  - a. In accordance with the provisions of 20 U.S.C. § 1415e (3) (B) of the IDEA, a child with a disability who is determined to have brought a weapon to school under the jurisdiction of the School Board may be placed in an interim alternative educational setting as specified by the IEP team.
  - b. If the parent or guardian requests a due process hearing, the child shall remain in the alternative educational setting during the pendency of such proceedings, unless the parents and school officials agree otherwise.

Rio Rancho Public Schools  
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