



RISE CHARTER SCHOOL

Policy 3331: Weapons at School

Status: 2nd Reading

Original Adopted Date:

Last Revised Date:

Last Reviewed Date:

REQUIRED POLICY

Gun-Free School

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered to be or look like a firearm, shall be expelled for at least one calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

If a student violating this policy has a disability, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Board policy.

Possession of a Weapon on School Property – Misdemeanor

No person shall possess a firearm or other deadly or dangerous weapon while on School property or in those portions of any building, stadium, or other structure on School grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this State or while riding Charter School provided transportation. This also applies to students of the Charter School while attending or participating in any School sponsored activity, program, or event regardless of location.

As used in this section of this policy only:

1. "Deadly or dangerous weapon" means any weapon as defined in United States Code. This term does not include a pocket knife with a blade of less than 2½ inches in length. and
2. "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries, or stores a weapon in a School building or on School property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the Charter School.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a School building. All persons who wish to possess, carry, or store a weapon in a School building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess carry or store a weapon in a School building.

This section of this policy does not apply to:

1. Law enforcement personnel;
2. Any adult over 18 years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in their vehicle in an unobtrusive, nonthreatening manner;
3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students, or School employees to and from school or a Charter School activity; or
4. A person or an employee of the School or School who is authorized to carry a firearm with the permission of the Board of Directors.

Legal References	Description
18 USC § 921	Firearms - Definitions
18 USC § 930	Possession of Firearms and Dangerous Weapons in Federal Facilities
20 USC § 7961	Gun-Free Requirements
29 USC § 701, et seq.	Section 504 of the Rehabilitation Act of 1973
IC § 18-3302D	Possessing Weapons or Firearms on School Property
IC § 18-3302I	Threatening Violence on School Grounds
IC § 18-917	Assault And Battery - Hazing
IC § 33-205	Denial of School Attendance
IDAPA 08.02.03.109.05	Special Education
IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

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