

WEAPONS IN SCHOOL

Code **JICI** Adopted: **5/11/2023** Latest Review: **8/15/2024** Latest Revision: **8/15/2024**

Weapons

It is the policy of the board to ensure the safety and welfare of its students and staff. The presence of firearms, knives with a blade length of over two inches, dirks, razors, metal knuckles, slingshots, bludgeons, or any other deadly instrument used for the infliction of bodily harm or death on school district property poses a severe threat of serious harm or injury to students and staff.

While on school grounds, in school buildings, on buses, or at school-related functions, students will not possess any item capable of inflicting injury or harm (hereinafter referred to as a weapon) to persons or property when that item is not used in relation to a normal school activity at a scheduled time for the student.

No vehicles parked on school property may contain firearms, knives, blackjacks, or other items which are generally considered to be weapons. In accordance with state law, this vehicle restriction does not apply to students 21 or older who are authorized by state law to carry a concealed weapon when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

Level of offense

It is a felony offense, punishable by a fine of \$1,000, or imprisonment for five years, or both, to carry a weapon as referenced above on school property.

It is a misdemeanor offense, punishable by a fine of up to \$500, or imprisonment for up to 90 days, to carry a concealed dirk, slingshot, metal knuckles, razor, or other deadly weapon.

Weapons (Firearms)

The board will expel any student who **knowingly** brings a firearm to school, **on school grounds, in school buildings, on buses, or to school-related functions**. The term firearm is defined extensively in federal law, but generally means a weapon (gun) or destructive device (explosive, incendiary).

The period of expulsion will be no less than one year.

The superintendent will make recommendations for expulsion consistent with this policy except that, **on a case-by-case basis and subject to board review and approval, the superintendent may modify the expulsion period when an authority other than the board conducts the expulsion hearing.** ~~on a case-by-case basis, may modify this expulsion requirement.~~ **If the board does not approve the modification, the expulsion period will be reinstated.**

When the board conducts the expulsion hearing, the board may, on a case-by-case basis, modify this expulsion requirement.

The district may provide educational services in an alternative setting **or virtually** to a student expelled under this policy.

The district will refer each expelled student to the local county office of the Department of Juvenile Justice.

Cf. JKE

Legal References:

A. United States Code of Laws, as amended:

1. Gun-Free Schools Act, 20 U.S.C.A. 7961.

B. S.C. Code of Laws, 1976, as amended:

1. Section 16-23-420 - Possession of firearm on school property; concealed weapons.
2. Section 16-23-430 – Possession of concealed weapons; school property exception.

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3. Section 59-63-235 - Expulsion of student determined to have brought firearm to school.
4. Section 59-63-370 - Administrator notification of a student's conviction or delinquency adjudication for certain offenses; placement of information in permanent school records; definition of "weapon."

C. Federal Cases:

1. *New Jersey v. T.L.O.*, 469 U.S. 325 (1985).

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