

<b>1220</b>	<b>Possession of Weapons and Toy Weapons Policy</b>
<b>Approval Date:</b>	<b>March 23, 2016</b>
<b>Category:</b>	<b>Foundations and Basic Commitments</b>
<b>Governance Accountability:</b>	<b>Leadership</b>
<b>Audience:</b>	<b>Students, Employees, Families, Volunteers</b>

Pine Lake Preparatory believes that all children have the right to be educated in a safe and nurturing environment that is conducive to learning. Pine Lake Preparatory prohibits weapons in or on school property. Pine Lake Preparatory also prohibits weapons off school grounds where the carrying, bringing, using, or possessing of a weapon creates a threat of physical harm to or physically harms a student or school personnel, is detrimental to the welfare or safety of a student or school personnel, adversely affects the discipline in any school, or adversely affects the education program in any school. Possession is defined as having physical possession of a weapon as defined below, or the weapon being under the control of a student whether it be in a car, locker, backpack, or other location, under the control of or belonging to the student while on school property.

Possession of a toy weapon on campus or at a school-sponsored event whereby such possession causes a threat or perceived threat of danger will be treated in the same manner as possession of a real weapon as defined below. A review of the violation will be conducted by the Head of Schools to determine if additional consequences will be assessed. Each offense will be evaluated on a case-by-case basis by the Head of Schools. Criminal charges may also be filed.

Carrying, bringing, using or possessing a weapon on school property, when being transported in vehicles by the school, during a school-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any curricular or non-curricular event without the authorization of the school is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of weapons.

#### **A. Definitions**

1. Illegal weapon: For purposes of this policy, an "illegal weapon" is defined as:
  - a. A firearm, whether loaded or unloaded; whether operational or non-operational
  - b. Gravity knives, butterfly knives and switchblades
  - c. Any other object, device, instrument, material, or substance defined as an unlawful weapon pursuant to city ordinance, state statute, or as otherwise provided by law.
2. Dangerous weapon: For the purposes of this policy, a "dangerous weapon" is defined as:
  - a. Any pellet or "B.B." gun or other device, whether operational or

not, designed to propel projectiles by spring action or compressed air (this includes paintball guns and airsoft guns);

b. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches;

c. Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used by the student to inflict serious bodily injury or death, including, but not limited to bludgeons, brass knuckles, artificial knuckles, bows and arrows, blow guns, sling shots, poisons, explosive devices.,

3. Standard weapons and weapons facsimiles: For purposes of this policy, a standard weapon includes any object, device, instrument, material or substance, whether animate or inanimate, that is used or intended to be used by the student to inflict bodily injury of a lesser degree than serious bodily injury, or is designed to inflict bodily injury of a lesser degree than serious bodily injury, regardless of the student's intent. For purposes of this policy, a standard weapon includes, but is not limited to, pepper spray, chemical mace, laser pointers used in a nonacademic manner, tasers and stun devices and all knives that do not meet the definition of a dangerous weapon under this policy. Weapon facsimile: any facsimile of a weapon; a weapon facsimile is any object, device, instrument, material or substance that substantially mimics a weapon (note: a weapon facsimile may also be considered a weapon under this policy, based, among other things, on its use or intended use.);
4. Serious Bodily Injury: Bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or School property: For purposes of this policy, school property includes: 1) all School property, including but not limited to school buses and school facilities, 2) any non-Pine Lake Preparatory property on which a Pine Lake Preparatory-sponsored activity or event occurs; and, 3) any other non-Pine Lake Preparatory property or location where the behavior engaged in may have a direct impact on school discipline or be detrimental to the welfare or safety of students or staff.
5. School personnel: as used in this policy, school personnel means any officer, director, employee, volunteer, representative, agent, or visitor.

## **B. Grounds for suspension and expulsion**

Under applicable laws, the grounds for disciplining a student for a weapons violation depends upon where the violation has occurred and the kind of weapon involved. Students who violate the provisions of this policy may face suspension and/or expulsion from school, depending on the nature and location of the violation. In accordance with applicable law, school personnel will refer to law enforcement

any student who brings a firearm, dangerous, and/or illegal weapon to school without authorization of the school.

### **C. Application of this policy**

- a. This policy shall apply whether or not a weapon or weapon facsimile is operational.
- b. For purposes of determining a student's intent, there shall be a presumption that the primary purpose of carrying, bringing, using, or possessing the object, device, instrument, material or substance is to inflict death or serious bodily injury.
- c. School administration shall investigate all weapons violations to determine if the primary purpose of carrying, bringing, using, or possessing the object, device, instrument, material, or substance is to inflict bodily injury of a lesser degree than serious bodily injury, to create a threat of physical harm to or physically harm a student or school personnel, to engage in conduct that is detrimental to the welfare or safety of a student or of school personnel, to adversely affect the discipline in a school, or to adversely affect the educational program in a school.
- d. School administration shall investigate all weapons facsimile cases to determine if the primary purpose of carrying, bringing, using, or possessing a weapon facsimile is to engage in conduct that is detrimental to the welfare or safety of a student or of school personnel, to adversely affect the discipline in a school, or to adversely affect the educational program in a school.
- e. It shall be no defense or excuse that a student carried, brought, used, or possessed a weapon or weapon facsimile for the purpose of self-defense or the defense of another.
- f. Possession of a weapon will result in home suspension or expulsion. Refer to the Student Code of Conduct Policy (Policy 1130) for procedure for suspension or expulsion.

### **D. Exceptions**

Suspension and/or expulsion shall not be mandatory under this section if, when the student discovers that he or she has carried, brought, or is in possession of a weapon or weapon facsimile, the student notifies a teacher, administrator, or other authorized person at Pine Lake Preparatory as soon as possible and delivers the weapon or weapon facsimile to any such person. Such action shall be considered when determining appropriate disciplinary action, if any. The safe harbor provision does not apply to illegal weapons or firearms.

With Principal approval, exceptions to this policy may be made for students

participating in an authorized extracurricular activity or team involving the use of weapons such as bow and arrows, or a student in possession of a weapon for use in an approved educational program which includes but is not limited to any course designed for the repair and maintenance of weapons. An exception would also apply to students presenting an authorized public demonstration for the school or an organized class.

#### References:

NC General Statute 14-269.2 Weapons on campus or other education property