

Weapons and Dangerous Instruments

The Bethany Board of Education (Board) determines that possession, concealment, and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school staff within the Bethany Public School District (District). Possession and/or use of any dangerous instrument, deadly weapon, electronic defense weapon, firearm, martial arts weapon, or destructive device in any District building on District grounds, in any District vehicle, or at any District sponsored activity is prohibited.

Definitions

- A. **Dangerous Instrument** means any instrument, article, or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- B. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a projectile may be discharged, or a switchblade knife, gravity knife, billy club, blackjack, bludgeon, or metal knuckles. A weapon such as a pellet gun and/or airsoft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g., hunting); type of projectile; force and velocity of discharge; method of discharge (i.e., spring v. CO₂ cartridge), and potential for serious bodily harm or death.
- C. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- D. **Firearm**, as defined in 18 U.S.C. § 921, means a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, b) the frame or receiver of any such weapon, c) a firearm muffler or silencer, or d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A "destructive device" does not include an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.
- E. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa, or Chinese star.

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- F. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches (1½") in length, any stiletto, any knife the edged portion of the blade of which is four (4) inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Connecticut General Statutes § 29-38.

The possession or use of any weapon or device defined in this policy will require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by school administration. If the student is found to have possessed a firearm or other dangerous weapon as defined in Connecticut General Statutes Section 53a-3 in violation of Section 29-35 or Section 53-206, in or on the real property of the school or at any District activity as defined in Connecticut General Statutes Section 10-233a, the student must be expelled for one (1) calendar year. The Board or hearing board may modify the period of expulsion on a case-by-case basis. To comply with federal law, any finding of an exception shall be reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

The Board shall consider a student's conduct off school grounds that is seriously disruptive of the educational process or is violative of Board publicized policies or administrative regulations as grounds for expulsion.

Legal References: Connecticut General Statutes § 10-221
Connecticut General Statutes §§ 10-233a to 10-233f as amended by Public Act 95-304
Connecticut General Statutes § 53a-3
Connecticut General Statutes § 53a-217b
Connecticut General Statutes § 53-206
Public Act 94-221
Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006)
GOALS 2000: Educate America Act
18 U. S. C. 921
20 U.S.C. § 7961, The Gun-Free School Act, 8561 of the Every Student Succeeds Act
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006)
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 to 7117

Policy adopted: October 3, 1994
Policy revised: November 6, 1995
Policy revised: May 13, 2015
Policy revised: March 13, 2019
Policy revised: May 11, 2022

Source: CABE