

SMYRNA SCHOOL DISTRICT

POLICY

Section:	5000 Students	Office Responsible:	District Office - Safety & Climate
Policy:	5115 – Possession of Firearms or Other Weapons		
Related Policies:	5100.1 – Student Code of Conduct – Elementary 5100.2 – Student Code of Conduct – Intermediate 5100.3 – Student Code of Conduct - Secondary		

I. Purpose

To maintain a safe environment in all schools and to comply with the Federal “Gun Free Schools Act of 1994”.

II. Authority

- United States Code, Title 18 §921, Crimes and Criminal Procedure
- Gun-Free Schools Act

III. Policy

Any student who is determined to have brought a firearm or other weapon to school, or who is determined to be in possession of a firearm or other weapons on school property, in a school bus, or at any school-sponsored event or activity shall be subject to expulsion for a period of not less than one hundred and eighty [180] school days. The Superintendent may modify the expulsion requirement on a case-by-case basis, subject to approval by the Board of Education and as required by Federal and State Law. Any modification of the expulsion requirement shall be based, among other things, on the nature and circumstances of the violation, and the age and educational needs of the student involved. The student may be recommended to receive educational services in an alternative setting, including, but not limited to, an alternative school, evening school, or homebound instructional setting. The decision as to which of these alternatives will best suit the needs of the student will be made by the administration and be subject to approval by the Superintendent and Board of Education. A violation of this policy shall result in a recommendation for expulsion.

This policy shall apply to all students and the applicable Federal and State Laws will be followed. If a student with an identified disability (IEP or 504 Plan) violates the policy, prior to any discipline or change in placement, a determination will be made as to whether or not the violation of this policy and/or the Gun Free Schools Act was due to the student’s identified disability.

The term “firearm” is applied to any of the following but does not apply to an antique firearm:

- a. 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
- b. the frame or receiver of any weapon
- c. any firearm muffler or firearm silencer
- d. any destructive device.

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The term “weapon” includes but is not limited to, any instrument from which a shot may be discharged, including the discharge of a pellet, slug, bullet, or BB shot by compressed air or by spring discharge; any rifle or gun [loaded or unloaded, operable or inoperable]; a knife of any sort, including, but not limited to, a switchblade knife; a hunting knife, or a pocket knife; billy; blackjack; bludgeon; metal knuckles; slingshot; razor; bicycle chain; ice pick; any mace derivative or tear gas device; spiked glove; any other article commonly used or designated to inflict bodily harm or to intimidate others, or any other article commonly used for other purposes, which is being used in an aggressive or threatening manner.

IV. Definitions

- School zone:
 - a. in, or on the grounds of, a public, parochial or private school; or
 - b. within a distance of 1,000 feet from the grounds of a public, parochial or private school.
- School - a building where staff provide elementary or secondary education, as determined under State law.
- Destructive device:
 - a. any explosive, incendiary, or poison gas -- 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 device similar to any of the devices described in this definition.
 - b. any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by an action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
 - c. any combination of parts either designed or intended for use in converting any device into any destructive device described above for “Destructive Device” and from which a destructive device may be readily assembled.
 - d. The term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 7684(2), 7685, or 7686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.
- Shotgun - a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy

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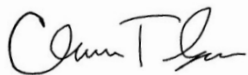
- of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.
- Short-barreled shotgun - a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.
 - Rifle - a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.
 - Short-barreled rifle - a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches.
 - Antique firearm:
 - a. any firearm (including any firearm with a matchlock, flintlock percussion cap, or similar type of ignition system) manufactured in or before 1898; or
 - b. any replica of any firearm described in (a) above if such replica:
 - 1. is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or
 - 2. uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade, or
 - 3. any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition.
- For purposes of this definition, the term “antique firearm” shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.
- Ammunition - ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.
 - Armor piercing ammunition:
 - a. a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium; or

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- b. a full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile.
 - c. The term “armor piercing ammunition” does not include shotgun shot required by Federal or State environmental or game regulations for hunting purposes, a frangible projectile designed for target shooting, a projectile which the Attorney General finds is primarily intended to be used for sporting purposes, or any other projectile or projectile core which the Attorney General finds is intended to be used for industrial purposes, including a charge used in an oil and gas well perforating device
- Machinegun - as defined in section 5845(b) of the National Firearms Act (26 U.S.C. 5845(b)).
 - Firearm silencer/ and Firearm muffler - any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.
 - Semiautomatic rifle - any repeating rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.
 - Handgun –
 - a. a firearm which has a short stock and is designed to be held and fired by the use of a single hand; and
 - b. any combination of parts from which a firearm described in (a) can be assembled.

Board Approval Acknowledged by:



Smyrna School District Board of Education

Policy Actions

Adopted: November 16, 1994

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November 18, 2015

August 26, 2026