

REGULATION ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy JCC (formerly Policy 902.18)

Responsible Office: DIVISION OF STUDENT SUPPORT SERVICES

POSSESSION AND/OR USE OF DANGEROUS OR DEADLY WEAPONS BY STUDENTS

A. PURPOSE

The Board of Education of Anne Arundel County (Board) recognizes that a safe and orderly school environment is necessary for teaching and learning. The Board also recognizes that proper student behavior is essential to achieving such an environment. While student behavior is the shared responsibility of the school, the student, and the home, it is particularly important that school officials take appropriate disciplinary action against those students whose conduct is a threat to the safety of others in the school community and to the integrity of the educational process.

B. BACKGROUND

The Board believes that one of the most serious threats to the safety and well-being of our schools is students' possession and/or use of weapons. Moreover, State law prohibits the carrying or possessing of certain weapons on public school property, and community expectations demand a firm stance against weapons in school.

C. DEFINITIONS

In accordance with these principles, the Board strictly prohibits any student from possessing or using any dangerous or deadly weapon on Board property, including in school buildings or on school grounds; on school buses and other school vehicles; or during any school, school-related, or school-sponsored activity, whether held on school property or at locations off school property, including private clubs, business, or commercial establishments.

1. ***Dangerous Weapon*** – by way of illustration and without limitation includes;
 - a. nunchaka, or device constructed of two pieces of any substance, including wood, metal, or plastic, connected by any chain, rope, leather, or other flexible material not exceeding 24 inches in length;
 - b. any pepper mace, or aerosol propelled combination of highly disabling irritant pepper-based products when the intent or purpose is injuring an individual in an unlawful manner;

- c. any star knife, or device used as a throwing weapon consisting of several sharp or pointed blades arrayed as radially disposed arms about a central disk;
 - d. any razor, whether sharp, regular, or retractable;
 - e. any object, except a knife or firearm, which school administrative staff could reasonably conclude is capable of inflicting bodily harm (e.g., blackjack, chain, club, knuckles, nightstick, pipe, studded bracelet, etc.); or
 - f. any other object which by virtue of its shape or design gives the appearance of any of the aforementioned.
2. ***Deadly Weapon***- any firearm, knife, or other weapon that can cause serious bodily injury or death to an individual.
3. For the purposes of this Regulation, possession of items used as part of instruction or a school sponsored activity are not subject to the disciplinary sanctions that result from the violation of this Regulation. Examples include the use of a hammer, saw, or nail gun to build a structure in class.
4. ***Alternative Educational Program*** - includes a number of approaches to teaching students who are experiencing barriers to learning, distinct from that which is traditionally offered in our comprehensive schools. Educational alternatives (which include alternative programs and home-based learning) vary, but usually emphasize small class sizes, close relationships between students and teachers and a sense of community. Examples of alternative educational programs include J. Albert Adams Academy, Mary E. Moss Academy, Evening School, the Phoenix Academy, home based learning, and summer school.

D. PROCEDURES

- 1. If a student is suspected of possessing and/or using a dangerous or deadly weapon in violation of Board Policy, this Regulation, and the Code of Student Conduct, the student shall be referred to the principal. The principal or principal's designee shall investigate and determine whether a violation has occurred.
- 2. Disciplinary procedures for students with disabilities who violate this regulation shall be administered in accordance with Chapter VI of the Anne Arundel County Public Schools Handbook for Special Education and Policy JD and Regulation JD-RA.
- 3. Use of a Deadly Weapon: Subject to restrictions under subsection (D) (2), any student found to have used a deadly weapon in violation of this regulation shall be expelled from school.

The principal, in this case, shall secure the deadly weapon, immediately notify the Superintendent, or the Superintendent's designee regarding the matter, and law enforcement, as appropriate.

4. Possession of a Firearm: Subject to restriction under subsection (D) (2), any student found in possession of a firearm on school property shall be expelled from school.

The principal, in this case, shall secure the firearm, immediately notify the Superintendent, or the Superintendent's designee regarding the matter, and law enforcement, as appropriate.

5. In the case of a student enrolled in elementary school, if it has been established to the satisfaction of the principal that the student has possessed a dangerous or deadly weapon (other than a firearm) in violation of Board policy and regulation, discretion as to recommended duration of suspension and condition for re-admission is vested in the principal.
6. In the case of a student enrolled in middle school or high school, if it is established to the satisfaction of the principal that the student has possessed a dangerous or deadly weapon or dangerous implement (other than a firearm) in violation of Board policy and regulation, the principal shall, if possible, secure the dangerous or deadly weapon (other than a firearm), notify local law enforcement officials as appropriate; and notify the Superintendent or the Superintendent's designee. The principal shall notify the student's parent(s)/guardian(s) of the incident and request that they come to the school.
7. Disciplinary action shall be taken as follows:
 - a. The principal shall suspend the student for 10 school days and immediately report the matter in writing to the Superintendent. The Superintendent, or designee, promptly shall make a thorough investigation of the matter.
 - b. If after the investigation, the Superintendent, or designee, finds that a longer suspension or expulsion is warranted, a conference promptly shall be arranged with the student and the student's parent(s)/guardian(s). A written report shall be completed in a reasonable time, preferably within 48 hours, and given to a Special Assistant for Student Discipline from the Office of Safe and Orderly Schools.
 - c. If after the conference, the Superintendent, or designee, finds that a longer suspension of more than 10 school days or expulsion is warranted, the student may be placed on extended suspension or expulsion. The student or the student's parent(s)/guardian(s):
 - i. may appeal to the Board within 10 days after the determination;
 - ii. may be heard before the Board or its designated committee;
 - iii. may bring counsel and witness to the hearing; and
 - iv. shall be provided the school systems' witness list and a copy of the documents that the school system shall present at the hearing five (5) days before the hearing.

- d. Unless a public hearing is requested by the parent(s)/guardian(s) of the student, a hearing shall be held out of the presence of all individuals except those whose presence is necessary or desirable.
- e. If an appeal is filed, the local board or its designated committee or hearing officer shall have 45 days from the date the appeal was received to hear the appeal and issue a decision.
 - i. This time period may be extended if the parent(s)/guardian(s) or his/her representative requests additional time.
 - ii. This timeline shall also apply in the event that the local board elects to use a hearing examiner.
 - iii. If due to extraordinary circumstances or unusual complexity of a particular appeal, the local board determines that it shall be unable to hear an appeal and issue a decision within 45 days, it may petition the State Superintendent for an extension of time.
 - iv. The appeal to the Board does not stay the decision of the Superintendent.
 - v. The decision of the Board is final.
- f. A written report shall be completed in a reasonable time, preferably within 48 hours, and given to a Special Assistant for Student Discipline from the Office of Safe and Orderly Schools.
- g. In cases of more than 10 school days delay in investigative procedures, the principal, in consultation with a Special Assistant for Student Discipline, from the Office of Safe and Orderly Schools, shall request permission from the Superintendent to extend the suspension.
- h. The outcome of this suspension, based on the circumstances and subject to law, may be any one or a combination of the following:
 - i. the withdrawal of the student for the remainder of the school year;
 - ii. expulsion;
 - iii. home teaching;
 - iv. transfer to an Alternative Education Program;
 - v. appropriate court referral;
 - vi. reinstatement; and/or

- vii. referral to Alternative to Drugs Program (ADP), Anti-Tobacco Use Program (ATUP), Bias Motivated Behavior Program (BMBP), or the Responsible Actions Program (RAP).
- 8. In order to keep suspended or expelled students on track with classroom work, as is reasonably possible, the following actions shall be taken:
 - a. each student suspended or expelled out-of-school who is not placed in an alternative education program shall receive daily classwork and assignments from each teacher, which shall be reviewed and corrected by teachers on a weekly basis and returned to the student; and
 - b. each principal shall assign a school staff person to be the liaison between the teachers and the various students on out-of-school suspension or expulsion and to communicate weekly about classroom assignments and school-related issues by phone or e-mail with those out-of-school suspended/expelled students and their parent(s)/guardian(s).
- 9. Readmission of Student for Suspension
 - a. It shall be the responsibility of the student and parent(s)/guardian(s) to attend a conference with the local school administrator as soon as notified or prior to the last day of the suspension to discuss and to seek avenues of change in the behavior that has brought about the suspension.
 - b. Under conditions mutually agreed upon during the conference with the parent/guardian(s), the student may be readmitted to school.
 - c. If the parent(s)/guardian(s) conference is not held within the stated dates of suspension or is unsatisfactory, the principal may request an extension of the suspension from the Superintendent, as outlined in the procedures for extended suspension or the principal may decide to readmit the student after a conference with the student.
- 10. Readmission of Student for Expulsion
 - a. An expelled student and the parent(s)/guardian(s) of the student may seek readmission to school by writing to the Superintendent to request a conference to review the expulsion. Upon notification, the student and the parent(s)/guardian(s) of the student must attend a conference with the Superintendent, or designee.
 - b. Considerations for readmission shall include:
 - i. the nature and severity of the incident leading to expulsion; and
 - ii. a review and evaluation of the school record of the student, including attendance, academic performance, and behavior.
 - c. Decisions regarding readmission to the school system shall be determined on a case-by-case basis.

**JCC-RAD POSSESSION AND/OR USE OF DANGEROUS
OR DEADLY WEAPONS BY STUDENTS**

Page 6 of 6

- d. Generally, it shall be expected that the student shall have been separated from the public school system for at least 45 school days or longer before readmission is considered.
- e. This procedure may be modified by the aggravating or mitigating circumstances of a particular case.
- f. Disciplinary sanctions shall follow The Code of Student Conduct.

Regulation History: ***Developed by the Superintendent 05/14/14***
 Reviewed by the Board of Education 08/20/14
 Issued 08/20/14

Note previous regulation history: Replaces Policy 902.18, adopted 04/19/95, revised 08/04/04, and 05/17/06.