

WEAPONS IN THE CENTER

Code **JICI** Issued **9/04**

Purpose: To establish the basic structure for the board's prohibition of student possession of weapons.

It is the policy of the board to ensure the safety and welfare of its students and employees. The presence of firearms, knives, blackjacks or other weapons on center property poses a severe threat of serious harm or injury to students and staff.

While on center grounds, in center buildings, on buses or at center-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 center activity at a scheduled time for the student. No vehicles parked on center property may contain firearms, knives, blackjacks or other items which are generally considered to be weapons.

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 center 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.

Any student caught possessing any weapon or attempting to use any object capable of inflicting bodily harm will be subject to the maximum suspension and/or recommended for expulsion. The director will notify proper law enforcement authorities.

Weapons (firearms)

The board will expel any student who brings a weapon to school. For purposes of this section of the policy, weapon means a firearm. The term firearm is defined extensively in the U. S. Code, but generally means a weapon (gun) or destructive device (explosive, incendiary).

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

The director will bring recommendations for expulsion consistent with this policy except that the director, on a case-by-case basis, may modify this expulsion requirement.

The center will not provide educational services in an alternative setting to students expelled under this policy.

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

Adopted 9/14/04

Legal references:

- A. United States Code:
 - 1. 20 U.S.C. 3351 - Gun-Free Schools.

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B. U.S. Supreme Court Cases:

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

C. S.C. Code, 1976, as amended:

1. Section 59-63-235 - Expulsion of student determined to have brought firearm to school.
2. Section 59-19-90(3), (5) - General powers and duties of trustees.
3. Section 16-23-430 - Carrying weapons on school property