

**SOUTH BURLINGTON SCHOOL DISTRICT
POLICY F8**

FIREARMS

Policy

It is the policy of the South Burlington School District to comply with the federal Gun Free Schools Act of 1994 and state law requiring school districts to provide for the possible expulsion of students who bring firearms to or possess firearms at school. It is further the intent of the Board to maintain a student discipline system consistent with the requirements of the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and the Vermont State Board of Education rules.

Definitions

For the purposes of this policy, the terms "firearm" "school" and "expelled" shall be defined consistent with the definitions required by state and federal law.

School: means any setting that is under the control and supervision of the school district. It includes school grounds, facilities, and school sponsored events whether held on or off of school grounds and vehicles used to transport students to and from schools or school activities.

Expelled: the termination of educational services for the remainder of the school year or up to 90 school days whichever is longer.

Firearm: The term "firearm" means (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 such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device.

Sanctions

Any student who brings a firearm to school, or who possesses a firearm at school shall be brought by the superintendent to the School Board for an expulsion hearing.

A student found by the school board, after a hearing, to have brought a firearm to school shall be expelled for at least one calendar year. However, the school board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:

1. The student was unaware that he or she had brought a firearm to school.
2. The student did not intend to use the firearm to threaten or endanger others.
3. The student is disabled and the misconduct is related to the disability.
4. The student does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the pupil.

At the discretion of the school board and administration, an expelled student may be afforded limited educational services at a site other than the school during the period of expulsion under this policy.

Policy Implementation

An expulsion hearing conducted under this policy shall afford due process as required by law and as developed by the superintendent or his or her designee.

The superintendent shall refer to appropriate law enforcement agency any student who brings a firearm to a school, as defined above. The superintendent may also report any incident, subject to this policy, to the Department of Social and Rehabilitative Services.

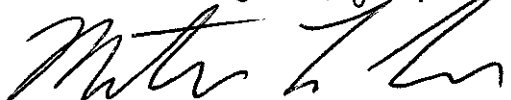
The superintendent shall annually provide the Secretary of Education with descriptions of the circumstances surrounding expulsions imposed under this policy, the number of students expelled and the type of firearms involved.

Date Policy Warned: November 1, 2017
Date Policy Considered: November 15, 2017
Date Policy Adopted: December 6, 2017

South Burlington School District Board of School Directors




Elizabeth E. Fitzgerald, Chairperson



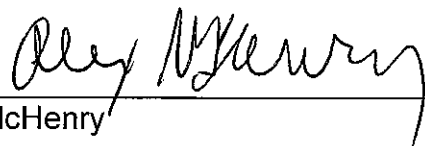
Martin J. LaLonde, Clerk



Bridget M. Burkhardt



Stephen T. Wisloski



Alex B. McHenry

Legal Reference(s): 16 V.S.A. §1166 (State law pursuant to Federal law)
13 V.S.A. §§4004, 4016 (Criminal offenses)
20 U.S.C. §7151 (Gun Free Schools Act)
18 U.S.C. §921 (Gun Free School Zones Act of 1990)
20 U.S.C. §§1400 et seq. (IDEA)
29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)
Vt. State Board of Education Manual of Rules & Practices, §§4311, 4312

Cross Reference: Search and Seizure
Student Conduct and Discipline