

# RED HOOK CENTRAL SCHOOL DISTRICT

## POLICY # 5312.2

### Gun Free School And Dangerous Weapons Policy

BE IT RESOLVED that the Board of Education of the Red Hook Central School District, pursuant to the Gun Free Schools Act Policy of 1994 and the New York State Education Law, hereby adopts the following policy:

- A. **Weapons** – The possession of a weapon on school district property, in school building or vehicles, or at school sponsored events or activities is strictly prohibited for all individuals except authorized law enforcement personnel. A “weapon” includes, but is not limited to, any firearm, electronic dart gun, knife, sword, billy blackjack, bludgeon, metal knuckles, razor, imitation pistol, or any other dangerous or deadly instruments or objects which is not necessary for school purposes and which could be used as a weapon. See New York Penal Law, Section 265.01.

An individual improperly possessing a weapon will be asked to leave the premises and the proper law enforcement personnel will be notified immediately. If the individual is a District employee, (s)he will also be subject to discipline pursuant to law and any applicable collective bargaining agreement provision. If the individual is a student, (s)he will be subject to applicable discipline pursuant to the New York State Education Law, the Student Disciplinary Code, and, if appropriate, criminal action.

- B. **Gun Free Schools Act** – Students are strictly forbidden to possess any firearm while on school property, or in any school building. This shall include, but shall not be limited to, possession of a firearm on their person or in an automobile, backpack, or locker. As defined by 18 U.S.C. 921, a “firearm” is 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; frame or receiver of such weapon; any firearm muzzle or silencer; or any destructive device.

Considering the severity of such act and the potential for harm and injury to person and property due to the possession of a firearm, any student found in the possession of a firearm, will be suspended from school for a period of not less than one year. The Superintendent of Schools may modify such penalty upon consideration of the particular facts of the case, including, but not limited to, the totality of the circumstances surrounding the offense and the student’s previous record.

Such consideration will be had within the context of the disciplinary hearing held pursuant to Education Law Section 3214 prior to the imposition of any student suspension in excess of five (5) days.

This policy shall not override or alter any obligation of the District to provide the suspended student with appropriate alternate education during the period of his/her suspension if required.

C. **Effective Date** – this policy is effective immediately.

Ref: Penal Law Section 265.01; Education Law Section 2801; 20 U.S.C. Section 3351 (Gun Free Schools Act of 1994)

5312.2  
Revised Policy  
1<sup>st</sup> Reading: 3/9/95  
Adopted by  
B.O.E. 3/21/95