

## **J-9 DEADLY WEAPONS**

Possession of a deadly weapon on school property or on a school bus with the intention to do bodily harm is a Class C felony.

The Board authorizes the Superintendent or designee to immediately and automatically suspend any student found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of infliction death or serious physical injury. Deadly weapons are not to be carried by students on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

A student determined to have brought to school or have in his/her possession a firearm defined in Section 921 Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be expelled for a period of one (1) year. The Board and the Superintendent may modify the expulsion requirement on a case-by-case basis.

The Board directs the Superintendent to provide the Lee County Sheriffs Department and the Opelika City Police Department a description of the circumstances surrounding each expulsion pursuant to this policy. This description shall include:

- The name of the school concerned
- The number of students expelled
- The types of weapons concerned

No person found guilty of violating a weapons policy may be readmitted to the

public schools of this state without psychiatric or psychological counseling and an accompanying report in writing to the Board that the person does not represent a threat to the safety or security of any student or employee of the School System.

Discipline of students with disabilities who violate this deadly weapons policy shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act.

Any person who violates the provisions of this policy may be arrested on the appropriate warrant signed by the principal or appropriate school authority.

If, pursuant to a Board hearing, any person is found guilty of violating this policy, such person shall not be admitted to school until any criminal charges or offenses arising from such conduct have been disposed of by proper authorities, and such violator(s) have satisfied all other requirements imposed by the Board as a condition for readmission.

**ADOPTED: May 11, 2004**

**LEGAL REF: Code of Alabama 16-1-24.1; 16-1-24.3**