

8470 WEAPONS AND FIREARMS IN SCHOOL

The Grand Island Public Schools believes weapons, firearms, other dangerous objects, and look-a-likes in school district facilities cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

I. Firearms in Schools

It is unlawful for any person to possess a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event. This policy shall not apply to (a) the issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers Training Corps or peace officers or other duly authorized law enforcement officers when on duty or training, (b) the possession of firearms by peace officers or other duly authorized law enforcement officers when contracted by a school to provide school security or school event control services, (c) firearms which may lawfully be possessed by the person receiving instruction, for instruction under the immediate supervision of an adult instructor, (d) firearms contained within a private vehicle operated by a nonstudent adult which are not loaded and are encased or in a locked firearm rack that is on a motor vehicle, (e) firearms which may lawfully be possessed by a person for the purpose of using them, with the approval of the school, in a historical reenactment, in a hunter education program, or as part of an honor guard, or (f) a handgun carried as a concealed handgun by a valid holder of a permit issued under the Concealed Handgun Permit Act in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public and used by a school if, prior to exiting the vehicle, the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, other than an auticycle, a hardened compartment securely attached to the motorcycle while the vehicle is in or on such parking area, except as prohibited by federal law. Encased for this policy means enclosed in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied, or otherwise fastened with no part of the firearm exposed.

Firearm, for the purposes of this policy, means a firearm as defined in 18 U.S.C. §921 as of January 1, 1995, which includes 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, the frame or receiver of any such weapon, any firearm muffler or firearm silencer; or any destructive device. Such term does not include an antique firearm. Destructive devices include:

- a. any explosive, incendiary, or poison gas - bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any of the devices described above, any type of weapon;
- b. any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter;
- c. any combination of parts either designed or intended for use in converting any device into any destructive device described above and from which a destructive device may be readily assembled.

A student who uses or possesses a firearm or destructive device in violation of this policy shall be expelled for no less than one year. The Superintendent or the Board of Education may modify the expulsion requirement on an individual basis.

II. Weapons in Schools

In addition to firearms and destructive devices, as discussed above, any student knowingly possessing, handling, or transmitting a weapon shall constitute grounds for long-term suspension, expulsion, or mandatory reassignment as provided in the Student Discipline Act. A weapon is any object that is ordinarily or generally considered a weapon.

The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm. The term "dangerous weapon" includes any personal safety or security device (such as tasers,

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mace and pepper spray). A student shall not carry a personal safety or security device during the school day.

III. Duty to Report to Law Enforcement

Any firearm, destructive device or weapon possessed in violation of this policy shall be confiscated, and as soon as reasonably possible be reported to a police officer.

Legal Reference:

Neb.Rev.Stat. § 79-267

Neb.Rev.Stat. § 79-263

Neb.Rev.Stat. § 79-283

Neb.Rev.Stat. § 28-1204.04

Neb.Rev.Stat. § 28-1201

Improving America's Schools Act of 1994, 18 U.S.C § 921

Nebraska Student Discipline Act

Cross Reference:

8453 STUDENT SUSPENSION, EXPULSION, AND MANDATORY REASSIGNMENT

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