

DANGEROUS WEAPONS IN SCHOOL

No student shall have in his or her possession upon school premises any rifle, shotgun, Pistol, revolver, other firearm, knives, dangerous chemicals, explosives, or any object which is not necessary for school activities and which could be used as a weapon. A weapon is defined as any instrument capable of firing a projectile, the frame or receiver of any such weapon, a firearm muffler or silencer, any explosive device, or any other instrument capable of inflicting bodily harm.

In accordance with the Gun-Free Schools Act of 1994, a student found guilty of bringing a firearm, as defined in federal law, onto school property after a hearing has been provided pursuant to Section 3214 of the Education Law will be subject to at least a one-year suspension from school.* However, after this penalty has been determined, the Superintendent of Schools will review the penalty and may modify such suspension on a case-by-case basis. If the Superintendent believes a one-year suspension penalty to be excessive, he/she may modify the penalty based on criteria including but not limited to:

1. the age of the student;
2. the student's grade in school;
3. the student's prior disciplinary record;
4. the Superintendent's belief that other forms of discipline may be more effective;
5. input from parents, teachers and/or others; and
6. other extenuating circumstances.

New York State Peace Officers and Police Officers are the only people permitted on school property to have a weapon in their possession.

Ref: Goals 2000: Educate America Act, P.L. 103-227 (Gun-Free Schools Act of 1994)
18 USC 921

- Federal law requires at least a one-year suspension from school for any student who is found to have brought a firearm to school. However, the law permits and the Association strongly recommends that the Superintendent of Schools review each such case to determine if the penalty should be modified. This determination must be made on a case-by-case basis.

Effective Date: June 8, 1994