

## **COLCHESTER SCHOOL DISTRICT**

### **POLICY: FIREARMS**

**DATE ADOPTED:** June 3, 2025

### **PURPOSE**

It is the intent of the Colchester School District to comply with the federal Gun-Free Schools Act of 1994 and state laws, requiring school districts to take appropriate disciplinary action including possible expulsion or long-term suspension of students who bring to school or possess at school a firearm. It is further the intent of the Board to expand the category of prohibited weapons pursuant to state law, and as defined by this policy. Additionally, it is 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.

### **I. CONDUCT PROHIBITED**

It is a violation of this policy for any student at any time to possess or bring a firearm: to school; on school grounds (including parking lots and cars in parking lots); on school buses or other vehicles used to transport students to/from school and school activities; and/or at school functions, whether held on school property or at another school sanctioned site. The School Board shall take appropriate disciplinary action against any student who violates this policy in accordance with the provisions of this policy.

### **II. DEFINITIONS**

- A.** 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.
- B.** “Firearm” shall mean items and devices defined as “firearms” in 18 U.S.C. §921, including, but not limited to:
  - 1.** Any weapon (including a starter pistol, BB, and pellet gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or other propellant;
  - 2.** The frame or receiver of any weapon described in 1 above; or
  - 3.** Any firearm muffler or firearm silencer.
  - 4.** Any destructive device, including explosives, incendiaries, or poison gas, including but not limited to the following:
    - a.** A bomb;
    - b.** A grenade;
    - c.** A rocket having a propellant charge of more than four ounces;

Date Warned: May 16, 2025  
 First Reading: May 20, 2025  
 Second Reading: June 3, 2025

- d. A missile having an explosive or incendiary charge of more than one-quarter ounce;
- e. A mine; or
- f. A device similar to the above-described devices; or
- g. Any combination of parts 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.

### **III. IMPLEMENTATION**

#### **A. Confiscation of the Firearm**

Administrators or other delegated school officials will exercise judgment and caution, using law enforcement if necessary, to confiscate any article identified as a firearm under this policy. Any such actions should be taken so as to minimize the risk of further endangering self or others.

#### **B. Notification of Law Enforcement**

Where a student brings to school or possesses at school a firearm, school officials shall immediately refer the student to a law enforcement agency.

#### **C. Disciplinary Proceedings**

1. Any student who brings a firearm to or possesses a firearm at school shall be referred by the Superintendent to the School Board for appropriate disciplinary action including, but not limited to, expulsion or long-term suspension.
2. A hearing conducted by the School Board under this policy shall afford due process as required by law, including but not limited to those outlined by State Board of Education rules, as applicable. An expulsion hearing conducted under this policy shall afford due process as required by law.
3. The Superintendent, with the approval of the School Board following opportunity for a hearing, shall expel from the school for not less than one calendar year any student who possesses at school or brings to school a firearm as defined in Section II above. However, the School Board may modify the expulsion or long-term suspension on a case-by-case basis. Such modifications must be made in writing and may be granted in circumstances such as (but not limited to):
  - a. The student is unaware that they have brought a firearm to school.
  - b. The student did not intend to use the firearm to threaten or endanger others.
  - c. The student does not present an ongoing threat to others and a expulsion would not serve the best interests of the pupil.
  - d. The student is disabled and the misconduct is related to the disability.

#### **IV. REPORTS TO THE SECRETARY OF EDUCATION**

Annually, at a time and on a form determined by the Secretary of Education, the Superintendent shall provide the Secretary with a description of the circumstances surrounding expulsions and long-term suspensions imposed under this section, the number of students who violated this policy and the type of firearm involved.

#### **V. ALTERNATIVE EDUCATIONAL PLACEMENT**

Nothing in this policy shall prohibit the Board from providing alternative educational placement to a student, at the Board's sole discretion.

#### **VI. NOTICE TO STUDENTS AND PARENT/GUARDIAN**

The Superintendent or their designee is directed to take reasonable steps to inform students and their parent/guardian of this policy and to post notices of this policy on school property.

#### **VII. AIDING OTHER STUDENTS**

A student who in any way encourages or helps another student to bring a firearm to school or to possess a firearm at school endangers the safety of others. The District expressly prohibits any such action. No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any of the weapons or facsimiles of weapons listed above. A student who has been found to have violated this policy by causing, encouraging, aiding, etc. another student to violate this policy shall be dealt with in accordance with the provisions of paragraph III-C above, including being subject to expulsion or a long-term suspension.

*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, 4313*