

1 The [Transylvania County Board of Education](#) (the “board”) will not tolerate the presence of
2 weapons or destructive devices, bomb or terrorist threats, or actions that constitute a clear threat
3 to the safety of students or employees. Any student who violates this policy will be removed
4 from the classroom or school environment for as long as is necessary to provide a safe and
5 orderly environment for learning.

6
7 **A. PROHIBITED BEHAVIOR**

8
9 **1. Weapons and Weapon-Like Items**

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11 Students are prohibited from possessing, handling, using, or transmitting, whether
12 concealed or open, any weapon or any instrument that reasonably looks like a
13 weapon or could be used as a weapon. Weapons include, but are not limited to
14 the following:

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16 a. loaded and unloaded firearms, including guns, pistols, and rifles;
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18 b. destructive devices, as described in subsection B.2 of this policy,
19 including explosives, such as dynamite cartridges, bombs, grenades, and
20 mines;
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22 c. knives, including pocket knives, bowie knives, switchblades, dirks, and
23 daggers;
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25 d. slingshots and slungshots;
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27 e. leaded canes;
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29 f. blackjacks;
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31 g. metal knuckles;
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33 h. BB guns;
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35 i. air rifles and air pistols;
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37 j. stun guns and other electric shock weapons, such as tasers;
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39 k. icepicks;
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41 l. razors and razor blades (except those designed and used solely for
42 personal shaving);
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- 44 m. fireworks;
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46 n. gun powder, ammunition, or bullets;
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48 o. any sharp pointed or edged instruments except unaltered nail files and
49 clips and tools used solely for preparation of food, instruction, and
50 maintenance; and
51
52 p. mace, pepper spray, and other personal defense sprays.
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54 Examples of other objects that may be considered weapons are box cutters and
55 other types of utility blades and blowguns.
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57 No student may knowingly or willfully cause, encourage, or aid another student to
58 possess, handle, or use any of the weapons or weapon-like items listed above. A
59 student who finds a weapon or weapon-like item, who witnesses another student
60 or other person with such an item, or who becomes aware that another student or
61 other person intends to possess, handle, or use such an item must notify a teacher
62 or the principal immediately.
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64 This section does not apply to board-approved and -authorized activities for
65 which the board has adopted appropriate safeguards to protect student safety.
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67 **2. Bomb Threats**
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69 Students are prohibited from making, aiding, and/or abetting in making a bomb
70 threat or perpetrating a bomb hoax against school system property by making a
71 false report that a device designed to cause damage or destruction by explosion,
72 blasting, or burning is located on school property.
73

74 No student may knowingly or willfully cause, encourage, or aid another student to
75 make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware
76 that another student or other person intends to use a bomb, make a bomb threat, or
77 perpetrate a bomb hoax must notify a teacher or the principal immediately.
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79 **3. Terrorist Threats**
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81 Students are prohibited from making, aiding, conspiring, and/or abetting in
82 making a terrorist threat or perpetrating a terrorist hoax against school system
83 property by making a false report that a device, substance, or material designed to
84 cause harmful or life-threatening injury to another person is located on school
85 property or at a school event.
86

87 No student may knowingly or willfully cause, encourage, or aid another student to
88 make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes
89 aware that another student or other person intends to use a device, substance, or
90 material designed to cause harmful or life-threatening illness or injury to another
91 person, make a terrorist threat, or perpetrate a terrorist hoax must notify a teacher
92 or the principal immediately.
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94 **4. Clear Threats to Student and Employee Safety**
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96 Students are prohibited from engaging in behavior that constitutes a clear threat to
97 the safety of other students or employees. Behavior constituting a clear threat to
98 the safety of others includes, but is not limited to:
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- 100 a. theft or attempted theft by a student from another person by using or
101 threatening to use a weapon;
102
103 b. the intentional and malicious burning of any structure or personal
104 property, including any vehicle;
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106 c. an attack or threatened attack by a student against another person wherein
107 the student uses a weapon or displays a weapon in a manner found
108 threatening to that person;
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110 d. an attack by a student on any employee, adult volunteer, or other student
111 that does not result in serious injury but that is intended to cause or
112 reasonably could cause serious injury;
113
114 e. an attack by a student on another person whereby the victim suffers
115 obvious severe or aggravated bodily injury, such as broken bones, loss of
116 teeth, possible internal injuries, laceration requiring stitches, loss of
117 consciousness, or significant bruising or pain; or whereby the victim
118 requires hospitalization or treatment in a hospital emergency room as a
119 result of the attack;
120
121 f. any intentional, highly reckless, or negligent act that results in the death of
122 another person;
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124 g. confining, restraining, or removing another person from one place to
125 another, without the victim's consent or the consent of the victim's parent,
126 for the purpose of committing a felony or for the purpose of holding the
127 victim as a hostage, for ransom, or for use as a shield;
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129 h. the possession of a weapon on any school property, including in a vehicle,

- 130 with the intent to use or transmit for another’s use or possession in a
131 reckless manner so that harm is reasonably foreseeable;
132
133 i. taking or attempting to take anything of value from the care, custody, or
134 control of another person or persons, by force, threat of force, or violence,
135 or by putting the victim in fear;
136
137 j. any unauthorized and unwanted intentional touching, or attempt to touch,
138 by one person of the sex organ of another, including the breasts of the
139 female and the genital areas of the male and female;
140
141 k. the possession, manufacture, sale, or delivery, or any attempted sale or
142 delivery, of a controlled substance in violation of Chapter 90 of the North
143 Carolina General Statutes;
144
145 l. any behavior resulting in a felony conviction on a weapons, drug, assault,
146 or other charge that implicates the safety of other persons; and
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148 m. any other behavior that demonstrates a clear threat to the safety of others
149 in the school environment.

B. CONSEQUENCES

1. General Consequences

The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

2. Specific Consequences Mandated by Law

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The superintendent shall not impose a 365-day suspension if the superintendent determines that the student (1) took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, (2) delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or school personnel, and (3) had no intent to use the firearm or destructive device in a harmful or threatening way.

**WEAPONS, BOMB THREATS, TERRORIST
THREATS, AND CLEAR THREATS TO SAFETY**

Policy Code: **4333**

173 For the purpose of this subsection, a firearm is (1) a weapon, including a starter gun
174 that will, is designed to, or may readily be converted to expel a projectile by the
175 action of an explosive, (2) the frame or receiver of any such weapon, or (3) any
176 firearm muffler or firearm silencer. A firearm does not include an inoperable
177 antique firearm, a BB gun, a stun gun, an air rifle, or an air pistol. For the
178 purposes of this subsection, a destructive device is an explosive, incendiary, or
179 poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more
180 than four ounces, (4) missile having an explosive or incendiary charge of more
181 than one-quarter ounce, (5) mine, or (6) similar device.

182
183 A student may not be suspended for 365 days for a weapons violation except in
184 accordance with this subsection.

185
186 Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, -27.2 through -
187 27.5A, -32, -33, -34 through -34.2, -41, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -202.2, -
188 208.18, -269.2, -277.5; ch. 90 art. 5; 115C-47, -276(r), -288, -307, -390.1, -390.2, -390.10

189
190 Cross References: Student Sex Offenders (policy 4260), Student Behavior Policies (policy
191 4300), Integrity and Civility (policy 4310), Disruptive Behavior (policy 4315), Theft, Trespass,
192 and Damage to Property (policy 4330), Assaults, Threats, and Harassment (policy 4331),
193 Criminal Behavior (policy 4335)

194 Adopted:
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