

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**

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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:

- 15  
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;  
21  
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;  
28  
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;  
40  
41     l.     razors and razor blades (except those designed and used solely for  
42     personal shaving);  
43

- 44 m. fireworks;
- 45
- 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.
- 53

54 Examples of other objects that may be considered weapons are box cutters and  
55 other types of utility blades and blowguns.

56  
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. **Middle and high school students may also utilize**  
63 **the anonymous safety tip line for reporting risks to the school population.**

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65 This section does not apply to board-approved and -authorized activities for  
66 which the board has adopted appropriate safeguards to protect student safety.

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68 **2. Bomb Threats**

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70 Students are prohibited from making, aiding, and/or abetting in making a bomb  
71 threat or perpetrating a bomb hoax against school system property by making a  
72 false report that a device designed to cause damage or destruction by explosion,  
73 blasting, or burning is located on school property.

74  
75 No student may knowingly or willfully cause, encourage, or aid another student to  
76 make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware  
77 that another student or other person intends to use a bomb, make a bomb threat, or  
78 perpetrate a bomb hoax must notify a teacher or the principal immediately.

79  
80 **3. Terrorist Threats**

81  
82 Students are prohibited from making, aiding, conspiring, and/or abetting in  
83 making a terrorist threat or perpetrating a terrorist hoax against school system  
84 property by making a false report that a device, substance, or material designed to  
85 cause harmful or life-threatening injury to another person is located on school  
86 property or at a school event.

87  
88 No student may knowingly or willfully cause, encourage, or aid another student to  
89 make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes  
90 aware that another student or other person intends to use a device, substance, or  
91 material designed to cause harmful or life-threatening illness or injury to another  
92 person, make a terrorist threat, or perpetrate a terrorist hoax must notify a teacher  
93 or the principal immediately.  
94

95 **4. Clear Threats to Student and Employee Safety**  
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97 Students are prohibited from engaging in behavior that constitutes a clear threat to  
98 the safety of other students or employees. Behavior constituting a clear threat to  
99 the safety of others includes, but is not limited to:

- 100  
101 a. theft or attempted theft by a student from another person by using or  
102 threatening to use a weapon;  
103  
104 b. the intentional and malicious burning of any structure or personal  
105 property, including any vehicle;  
106  
107 c. an attack or threatened attack by a student against another person wherein  
108 the student uses a weapon or displays a weapon in a manner found  
109 threatening to that person;  
110  
111 d. an attack by a student on any employee, adult volunteer, or other student  
112 that does not result in serious injury but that is intended to cause or  
113 reasonably could cause serious injury;  
114  
115 e. an attack by a student on another person whereby the victim suffers  
116 obvious severe or aggravated bodily injury, such as broken bones, loss of  
117 teeth, possible internal injuries, laceration requiring stitches, loss of  
118 consciousness, or significant bruising or pain; or whereby the victim  
119 requires hospitalization or treatment in a hospital emergency room as a  
120 result of the attack;  
121  
122 f. any intentional, highly reckless, or negligent act that results in the death of  
123 another person;  
124  
125 g. confining, restraining, or removing another person from one place to  
126 another, without the victim's consent or the consent of the victim's parent,  
127 for the purpose of committing a felony or for the purpose of holding the  
128 victim as a hostage, for ransom, or for use as a shield;  
129

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

*Policy Code:* **4333**

- 130 h. the possession of a weapon on any school property, including in a vehicle,  
131 with the intent to use or transmit for another’s use or possession in a  
132 reckless manner so that harm is reasonably foreseeable;
- 133
- 134 i. taking or attempting to take anything of value from the care, custody, or  
135 control of another person or persons, by force, threat of force, or violence,  
136 or by putting the victim in fear;
- 137
- 138 j. any unauthorized and unwanted intentional touching, or attempt to touch,  
139 by one person of the sex organ of another, including the breasts of the  
140 female and the genital areas of the male and female;
- 141
- 142 k. the possession, manufacture, sale, or delivery, or any attempted sale or  
143 delivery, of a controlled substance in violation of Chapter 90 of the North  
144 Carolina General Statutes;
- 145
- 146 l. any behavior resulting in a felony conviction on a weapons, drug, assault,  
147 or other charge that implicates the safety of other persons; and
- 148
- 149 m. any other behavior that demonstrates a clear threat to the safety of others  
150 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.

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

183  
184 A student may not be suspended for 365 days for a weapons violation except in  
185 accordance with this subsection.  
186

187 Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, -27.2 through -  
188 27.5A, -32, -33, -34 through -34.2, -41, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -202.2, -  
189 208.18, -269.2, -277.5, **-277.6**; ch. 90 art. 5; 115C-47, **-105.51**, -276(r), -288, -307, -390.1, -  
190 390.2, -390.10

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

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197 Adopted: October 16, 2017

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199 Revised: [DATE]