

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**

10
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;
17
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. nuclear, biological, or chemical weapons of mass destruction as defined in
23 G.S. 14-288.21(c);
24
25 d. knives, including pocket knives, bowie knives, switchblades, dirks, and
26 daggers;
27
28 e. slingshots and slungshots;
29
30 f. leaded canes;
31
32 g. blackjacks;
33
34 h. metal knuckles;
35
36 i. BB guns;
37
38 j. air rifles and air pistols;
39
40 k. stun guns and other electric shock weapons, such as tasers;
41
42 l. icepicks;
43

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

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- 44 m. razors and razor blades (except those designed and used solely for
45 personal shaving);
- 46
- 47 n. fireworks;
- 48
- 49 o. gun powder, ammunition, or bullets;
- 50
- 51 p. any sharp pointed or edged instruments except unaltered nail files and
52 clips and tools used solely for preparation of food, instruction, and
53 maintenance; and
- 54
- 55 q. mace, pepper spray, and other personal defense sprays.
- 56

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

59
60 No student may knowingly or willfully cause, encourage, or aid another student to
61 possess, handle, or use any of the weapons or weapon-like items listed above. A
62 student who finds a weapon or weapon-like item, who witnesses another student
63 or other person with such an item, or who becomes aware that another student or
64 other person intends to possess, handle, or use such an item must notify a teacher
65 or the principal immediately. Middle and high school students may also utilize
66 the anonymous safety tip line for reporting risks to the school population.

67
68 This section does not apply to board-approved and -authorized activities for
69 which the board has adopted appropriate safeguards to protect student safety.

70
71 **2. Bomb Threats**

72
73 Students are prohibited from:

- 74
- 75 a. ~~making, aiding, and/or abetting in making~~ a bomb threat, **regardless of**
76 **whether the student intends to or has the means to carry out the threat;**
- 77
- 78 b. ~~perpetrating~~ a bomb hoax against school system property by making a
79 ~~false~~ report, **knowing or having reason to know the report is false**, that a
80 **bomb or other** device designed to cause damage or destruction by
81 explosion, blasting, or burning is located on school **system** property **or at a**
82 **school system event;**
- 83
- 84 c. **perpetrating a bomb hoax by concealing, placing, or displaying any device**
85 **on school system property or at a school system event, so as to cause any**

86 person reasonably to believe the same to be a bomb or similar device
87 intended to cause injury to persons or property, and
88

- 89 d. ~~No student may knowingly or willfully cause, encourage, or aid~~ **causing,**
90 **encouraging, or aiding** another student to make a bomb threat or perpetrate
91 a bomb hoax. Any student who becomes aware that another student or
92 other person intends to use a bomb, make a bomb threat, or perpetrate a
93 bomb hoax must notify a teacher or the principal immediately.
94

95 **3. Terrorist Threats**

96 Students are prohibited from making, ~~aiding, conspiring, and/or abetting in~~
97 ~~making~~ a terrorist threat or perpetrating a terrorist hoax ~~against school system~~
98 ~~property by:~~
99

- 100
101 a. **threatening to commit an act of mass violence on school property or at a**
102 **school system event, regardless of whether the student intends to or has**
103 **the means to carry out the threat;**
104
105 b. **making a report, knowing or having reason to know the report is false, that**
106 **an act of mass violence is going to occur on school property or at a school**
107 **system event;**
108
109 c. ~~making a false report,~~ **knowing or having reason to know the report is**
110 **false,** that a device, substance, or material designed to cause harmful or
111 life-threatening injury to another person is located on school **system**
112 **property or at a school system event; or**
113
114 d. **concealing, placing, disseminating, or displaying on school system**
115 **property or at a school system event any device, substance, or material, so**
116 **as to cause a reasonable person to believe the same to be a weapon of**
117 **mass destruction or to be intended to cause harmful or life-threatening**
118 **illness or injury to another person.**
119

120 No student may knowingly or willfully cause, encourage, or aid another student to
121 make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes
122 aware that another student or other person intends to use a device, substance, or
123 material designed to cause harmful or life-threatening illness or injury to another
124 person, make a terrorist threat, or perpetrate a terrorist hoax must notify a teacher
125 or the principal immediately.
126

127 **4. Clear Threats to Student and Employee Safety**
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**WEAPONS, BOMB THREATS, TERRORIST
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- 129 Students are prohibited from engaging in behavior that constitutes a clear threat to
130 the safety of other students or employees. Behavior constituting a clear threat to
131 the safety of others includes, but is not limited to:
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- 133 a. theft or attempted theft by a student from another person by using or
134 threatening to use a weapon;
 - 135
 - 136 b. the intentional and malicious burning of any structure or personal
137 property, including any vehicle;
 - 138
 - 139 c. an attack or threatened attack by a student against another person wherein
140 the student uses a weapon or displays a weapon in a manner found
141 threatening to that person;
 - 142
 - 143 d. an attack by a student on any employee, adult volunteer, or other student
144 that does not result in serious injury but that is intended to cause or
145 reasonably could cause serious injury;
 - 146
 - 147 e. an attack by a student on another person whereby the victim suffers
148 obvious severe or aggravated bodily injury, such as broken bones, loss of
149 teeth, possible internal injuries, laceration requiring stitches, loss of
150 consciousness, or significant bruising or pain; or whereby the victim
151 requires hospitalization or treatment in a hospital emergency room as a
152 result of the attack;
 - 153
 - 154 f. any intentional, highly reckless, or negligent act that results in the death of
155 another person;
 - 156
 - 157 g. confining, restraining, or removing another person from one place to
158 another, without the victim's consent or the consent of the victim's parent,
159 for the purpose of committing a felony or for the purpose of holding the
160 victim as a hostage, for ransom, or for use as a shield;
 - 161
 - 162 h. the possession of a weapon on any school property, including in a vehicle,
163 with the intent to use or transmit for another's use or possession in a
164 reckless manner so that harm is reasonably foreseeable;
 - 165
 - 166 i. taking or attempting to take anything of value from the care, custody, or
167 control of another person or persons, by force, threat of force, or violence,
168 or by putting the victim in fear;
 - 169
 - 170 j. any unauthorized and unwanted intentional touching, or attempt to touch,
171 by one person of the sex organ of another, including the breasts of the

- 172 female and the genital areas of the male and female;
173
174 k. the possession, manufacture, sale, or delivery, or any attempted sale or
175 delivery, of a controlled substance in violation of Chapter 90 of the North
176 Carolina General Statutes;
177
178 l. any behavior resulting in a felony conviction on a weapons, drug, assault,
179 or other charge that implicates the safety of other persons; and
180
181 m. any other behavior that demonstrates a clear threat to the safety of others
182 in the school environment.
183

184 **B. CONSEQUENCES**

185
186 **1. General Consequences**
187

188 The disciplinary consequences for violations of this policy shall be consistent
189 with Section D of policy 4300, Student Behavior Policies. The superintendent or
190 designee shall list in the Code of Student Conduct the specific range of
191 consequences that may be imposed on a student for violations of this policy.
192

193 **2. Specific Consequences Mandated by Law**
194

195 As required by law, a student who brings or possesses a firearm or destructive
196 device on school property or at a school-sponsored event must be suspended for
197 365 days, unless the superintendent modifies, in writing, the required 365-day
198 suspension for an individual student on a case-by-case basis. The superintendent
199 shall not impose a 365-day suspension if the superintendent determines that the
200 student (1) took or received the firearm or destructive device from another person at
201 school or found the firearm or destructive device at school, (2) delivered or reported
202 the firearm or destructive device as soon as practicable to a law enforcement officer
203 or school personnel, and (3) had no intent to use the firearm or destructive device in a
204 harmful or threatening way.
205

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

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216 A student may not be suspended for 365 days for a weapons violation except in
217 accordance with this subsection.
218

219 Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, -27.21 through -
220 27.3027.5A, -32, -33, -34 through -34.2, -41, -49, -49.1, -60, -69.1, -69.2, -87, -87.1, -132, -
221 132.2, -202.1, -202.2, -208.18, -269.2, -277.5, -277.6, -283, -288.8, -288.21, -288.22, -288.23, -
222 288.24; ch. 90 art. 5; 115C-47, -105.51, -276(r), -288, -307, -390.1, -390.2, -390.10
223

224 Cross References: Student Sex Offenders (policy 4260), Student Behavior Policies (policy
225 4300), Integrity and Civility (policy 4310), Disruptive Behavior (policy 4315), Theft, Trespass,
226 and Damage to Property (policy 4330), Assaults, Threats, and Harassment (policy 4331),
227 Criminal Behavior (policy 4335)
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229 Adopted: October 16, 2017
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231 Revised: December 17, 2018; [DATE]

REVISED