

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

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. knowingly or willfully causing, encouraging, or aiding another student to  
90 make a bomb threat or perpetrate a bomb hoax. Any student who becomes  
91 aware that another student or other person intends to use a bomb, make a  
92 bomb threat, or perpetrate a bomb hoax must notify a teacher or the  
93 principal immediately.  
94

95 3. Terrorist Threats

96  
97 Students are prohibited from making a terrorist threat or perpetrating a terrorist  
98 hoax by:  
99

100 a. threatening to commit an act of mass violence on school property or at a  
101 school system event, regardless of whether the student intends to or has  
102 the means to carry out the threat;  
103

104 b. making a report, knowing or having reason to know the report is false, that  
105 an act of mass violence is going to occur on school property or at a school  
106 system event;  
107

108 c. making a report, knowing or having reason to know the report is false, that  
109 a device, substance, or material designed to cause harmful or life-  
110 threatening injury to another person is located on school system property  
111 or at a school system event; or  
112

113 d. concealing, placing, disseminating, or displaying on school system  
114 property or at a school system event any device, substance, or material, so  
115 as to cause a reasonable person to believe the same to be a weapon of  
116 mass destruction or to be intended to cause harmful or life-threatening  
117 illness or injury to another person.  
118

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

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

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

183 **B. CONSEQUENCES**

184  
185 1. General Consequences  
186

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

192 2. Specific Consequences Mandated by Law  
193

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

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

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214  
215                   A student may not be suspended for 365 days for a weapons violation except in  
216                   accordance with this subsection.  
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218   Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, -27.21 through -  
219   27.30, -32, -33, -34 through -34.2, -41, -49, -49.1, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -  
220   202.1, -202.2, -208.18, -269.2, -277.5, -277.6, -283, -288.8, -288.21, -288.22, -288.23, -288.24;  
221   ch. 90 art. 5; 115C-47, -105.51, -276(r), -288, -307, -390.1, -390.2, -390.10  
222

223   Cross References: Student Sex Offenders (policy 4260), Student Behavior Policies (policy  
224   4300), Integrity and Civility (policy 4310), Disruptive Behavior (policy 4315), Theft, Trespass,  
225   and Damage to Property (policy 4330), Assaults, ~~and Threats, and Harassment~~ (policy 4331),  
226   Criminal Behavior (policy 4335)  
227

228   Adopted: October 16, 2017  
229

230   Revised: December 17, 2018; December 16, 2019; [DATE]

REVISED