Firearm policy for students:

Any student who is determined to have brought a firearm to school, or to have possessed a firearm at school,\(^i\) in a school zone,\(^{ii}\) or in a safe school zone\(^{iii}\) shall be expelled from school by the local school board for a period of not less than 12 months. This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.\(^{iv}\) The School Board shall give the student an opportunity for a hearing prior to approving the expulsion. Pursuant to the provisions of 20 U.S.C. § 7961, Gun-Free Schools Act (NH & VT) and 16 V.S.A. § 1166 (VT), the Board requires the Superintendent to contact local law enforcement authorities and the Division of Children and Youth Services and notify them of any student who brings a firearm or weapon on school property.

All students will receive written notice of this policy at least once each year.

Weapons policy:

Weapons are not permitted in school buildings, on school property, in vehicles used for school purposes whether or not owned by the school, or at school-sponsored activities. This policy applies to students, employees, and members of the public alike. Student violations of this policy will result in both school disciplinary action and notification of local law enforcement authorities.

For the purposes of this policy, “weapon” includes but is not limited to: firearm,\(^v\) sling shot, metallic knuckles, billies, knives, electric defense weapons,\(^{vi}\) aerosol self-defense spray weapons,\(^{vii}\) and martial arts weapons.\(^{viii}\) Antique firearms\(^{ix}\) shall be considered a weapon if it is in a condition such that it has the potential to fire.

“Weapon” is further defined as any device, instrument, material or substance, which is used, attempted to be used, or threatened to be used and is readily capable of causing death or serious physical injury.

Weapons under control of law enforcement personnel are permitted.

Any person who violates this policy may be ordered to leave school grounds. Law enforcement officials may be contacted at the discretion of the supervising district employee if such employee believes it necessary. Additionally, the District reserves the right to issue "no trespass" letters to any person whose conduct violates this policy or acceptable standards of conduct.
WEAPONS ON SCHOOL PROPERTY

Definitions Added for reference:

18 U.S. Code § 921 - Definitions

(3) The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

(16) The term "antique firearm" means (A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or (B) any replica of any firearm described in subparagraph (A) if such replica (i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or (C) any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term "antique firearm" shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

(25) The term "school zone" means (A) in, or on the grounds of, a public, parochial or private school; or (B) within a distance of 1,000 feet from the grounds of a public, parochial or private school.

(26) The term "school" means a school which provides elementary or secondary education, as determined under State law.

NH RSA 193-D:1 Safe School Zone, Definitions

II. “Safe school zone” means an area inclusive of any school property or school buses. (It appears that some states require the safe school zone to be declared with signage.)

NH RSA 159:20 Self-Defense Weapons Defined

I. “Electronic defense weapon” means an electronically activated non-lethal device which is designed for or capable of producing an electrical charge of sufficient magnitude to immobilize or incapacitate a person temporarily.

II. “Aerosol self-defense spray weapon” means any aerosol self-defense spray weapon which is designed to immobilize or incapacitate a person temporarily.

NH RSA 159:24 Sale of Martial Arts Weapons
I. “Martial arts weapon” means any kind of sword, knife, spear, throwing star, throwing dart, or nunchaku or any other object designed for use in the martial arts which is capable of being used as a lethal or dangerous weapon.

Legal References:
18 U.S.C. § 921, Et seq., Firearms
20 U.S.C. § 7961, Gun-Free Schools Act
NH RSA 193:11, Disturbance
NH RSA 193-D, Safe School Zones
NH RSA 193:13, Suspension and Expulsion of Students
NH Code of Administrative Rules, Section Ed. 317, Standards and Procedures for Suspension and Expulsion of Pupils Including Procedures Assuring Due Process
NH RSA 635:2, Criminal Trespass
16 VSA § 1162, Suspension or Expulsion of Students
16 VSA § 1166, Possession of a Firearm at School
13 VSA § 3705, Unlawful Trespass

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i As defined 18 U.S.C. 921.
ii As defined in 18 U.S.C. 921.
iii As defined in NH RSA 193-D:1.
iv See 16 V.S.A. § 1166 and NH Code of Administrative Rules, Section Ed. 317.
v As defined in 18 U.S.C. § 921.
vi As defined in NH RSA 159:20.
vii As defined in NH RSA 159:20.
viii As defined in NH RSA 159:24.
ix As defined in 18 U.S.C. § 921.

First Read: February 6, 2018
Second Read:
Adoption: