

WEAPONS AND/OR EXPLOSIVE DEVICES

A student shall not supply, possess, handle, use, threaten to use, or transmit any weapon or any other tool or instrument capable of inflicting bodily injury. The terms weapons, tools, or instruments shall include by way of illustration, but are not limited to, the following enumerated items: any loaded or unloaded firearm or look alike firearm; any knife; razor, any martial arts device (e.g., Chinese star, nunchaku, dart, etc.); any defensive device (e.g., gas repellent, mace, stun-gun chemical sprays, etc.); or any tool or instrument which school staff could reasonably conclude as being a violation of the intent of this section, which by way of illustration, shall include, but is not limited to blackjack, chains, club, metal/brass or any artificial knuckles, nightstick, rings, pipe, studded or pointed bracelets, ax handles, etc.

A student shall not supply, possess, handle, use, threaten to use, or transmit any explosive device or item that ejects or releases a spray, foam, gas, spark, fire, smoke, odor, etc. By way of illustration, such devices or items shall include, but are not limited to, bullets, ammunition of any type, fireworks of any type and size, smoke bomb, stink bomb, any type of homemade bomb, or item which by virtue of its shape or design give the appearance of any of the aforementioned (e.g., fake bombs, fireworks fuse, explosive devices, detonators, etc.).

A student is deemed to be in possession of an illegal and/or banned item(s) under this section when such item(s) is found on the person of the student, in his/her possession, in his/her locker, in a student's vehicle on school property or in any vehicle a student brought on school property or on property being used by the school, at any school function or activity, or any school event held away from the school.

If an illegal device is known to be on school premises, both students and staff having such knowledge shall immediately report this information to the principal. The principal shall confiscate the device if reasonably possible and/or contact a law enforcement agency for securing the device.

A student who violates this policy shall be subject to interventions and consequences outlined in Tyler County Policy: JM Expected Behaviors in Safe and Supportive Schools.

Specific definitions of a weapon can be found under State Law 61-7-2.

The prohibition against simple possession of a weapon does not apply to:

- (a) A law-enforcement officer acting in his or her official capacity; or
- (b) A person specifically authorized by the Superintendent or appropriate principal to conduct programs with valid educational purposes.

REFERENCE: WV Safe Schools Act, 1995; West Virginia Code 18A-5-1a and 61-7-2. WVDE Policy 4373: Expected Behaviors in Safe and Supportive Schools.

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