

POLICY
RHODE ISLAND SCHOOL FOR THE DEAF
BOARD OF TRUSTEES

WEAPONS AND ASSAULT

Purpose

It is the belief of this School that all children have the right to be educated in a safe and nurturing environment. The purpose of this policy is to provide a school environment that is conducive to learning and to working with students. Therefore, employees of Rhode Island School for the Deaf shall enforce the following **policy of zero tolerance** for weapons and violence.

The policy provides the power for administrators to address potentially dangerous situations. It sets the tone for all to understand that weapons, violence and drug use is not tolerated and will not be allowed. With this in mind, when administrators are implementing this policy they are also allowed some flexibility, given the age of the student and the circumstances that present themselves.

Related Definitions

a. Assault:

Assault shall be defined as an act of physical violence or an aggravated threat of physical violence to another, whether student, staff member or any other person on school grounds or at a school event. Any willful attempt or threat to inflict injury upon the person of another, when coupled with an apparent present ability to do so, and any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm, constitutes an assault.

When considering what constitutes assault, the factors to be weighed include: age of student (s) involved, seriousness of bodily injury, the intent of the individual(s) involved, any disability affecting behavior of the individual, and any other factors deemed relevant to the Principals or their designee.

b. School Grounds:

This term includes, but is not limited to the actual property under the control of the School Department, including but not limited to, areas around the schools, parking lots, school sponsored events whether on or off school grounds, school buses, and school bus stops.

c. Gun:

A firearm or other device from which a projectile is discharged by the force of an explosive or compressed air (includes but not limited to pistol, blank pistol, signal pistol, starter pistol, revolver, rifle, shotgun, BB gun, pellet gun, etc.)

d. Weapon:

This term shall refer to any:

- Gun or firearm, or realistic replica of a firearm
- Knife: (including but not limited to Bowie, Dirck, lock-blade, hunting, pen, pocket, switchblade, utility, etc.)

- Razor (e.g. straight, regular, retractable, etc.)
- Martial arts device (e.g. Chinese stars, nunchaku, ninja claw, etc.)
- Any explosive capable of producing bodily harm or property damage. (e.g. pipe bomb)
- Defense weapons: (e.g. mace, stun gun, etc.)
 - Tool or instrument capable of effecting bodily harm (e.g. blackjack, chain, club knuckles, nightstick, pipe, ice pick, other device having a sharpened point, studded bracelet, etc.)
- Any other device having the capability of causing or threatening bodily harm.

e. Possession

Having a weapon on one’s person or in an area subject to one’s control in a school location.

f. Suspension

Suspension is defined as that act by a school administrator or by the School Board that removes a student from a class/school for a specified period of time, not more than one hundred eighty (180) days.

1) A short-term suspension is removal from a class/school for ten (10) days or less and may be imposed by a designated school official;

2) A long-term suspension is removal from a class/school for more than ten (10) days and must be approved by the Board of Trustees.

Police Involvement

In all cases involving weapons or assault in schools or on school grounds, on the bus, at the bus stop, on the way to or from school, and at school sponsored activities or events, State or local police shall be called immediately, and all confiscated weapons are to be turned over to the Police Department at that time.

Parental Notification

Parents/guardians shall be notified immediately after the Police have been notified.

Records

A log of all confiscated weapons will be kept by school administrators and will be available to be reviewed by the local police department. The log shall be kept in the Principal’s office to be reviewed only by the police and the appropriate school personnel for specific reasons.

Reasons for maintaining said log are as follows:

1. To record and utilize statistical information regarding the possession of weapons in the School and monitor the frequency of such incidents during a specific period. To assist in evaluating programs that may be in place in the School to combat weapons and violence or to demonstrate the need for such programs.
2. To examine these logs with both a school administrator and a law enforcement official so that they might detect a pattern of incidents occurring in the community.

3. To demonstrate the effectiveness of programs sponsored and operated by both the police and the School in order to solicit funding from various sources.
4. To dictate the need for increased law enforcement or other methods where weapons possession may be on the rise. Since students enroll at School for the Deaf from different Rhode Island and Massachusetts communities, data may be helpful in alerting police of growing violence in home communities, as well

Enforcement of Zero Tolerance for Weapons and Assault Policy

- a. Any student found to be in possession of a weapon, or involved in an assault, as defined, shall immediately be suspended in accordance with applicable due process provisions. During this suspension, the Board of Trustees shall take the necessary steps in determining any additional action, which may include long-term suspension.
- b. Decisions regarding the specific length of a student's suspension shall be made by the Board of Trustees.
- c. Any student suspended from class/school cannot participate in school functions.

Statement on Enforcement

This policy shall be implemented in compliance with all laws applicable to regular and special education students.

The Director or his/her designee shall make the determination as to whether or not a particular incident constitutes an assault, whether a device constitutes a weapon and/or what constitutes possession of a weapon. When considering what constitutes assault, the factors to be weighed may include, without limitation: age of student(s) involved, seriousness of bodily injury, the state of mind of the individual(s) involved, and any other factors deemed relevant to the school principals or their designee. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use, or distribution of weapons by students or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or School employees. Such equipment and tools, when properly possessed, used, and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

Legal References

RI Gen Law 16-21-18

RI Gen Law 16-21-19

RI Gen Law 16-21-20

RI Gen Law 16-21-27
RI Gen Law 11-47-60.2

First Reading: 8/16/18
Second Read: 9/ 7 /18
Approved: 11/ 17 /18