



## CITY SCHOOL DISTRICT OF ALBANY DANGEROUS WEAPONS IN SCHOOL

BE IT RESOLVED that the Board of Education of the City School District of the City of Albany, pursuant to the New York State Guns in School Act and the New York State Education Law, hereby adopts the following policy:

No student shall have in his or her possession while on school property or in any school building, any rifle, shotgun, pistol, revolver, other firearm, knives, dangerous chemicals, explosives or any object which is not necessary for school activities and which could be used as a weapon. This shall include, but shall not be limited to possession of a firearm or weapon on their person or in an automobile, backpack or locker. A “firearm” under this policy is any weapon (including a starter gun) which or is designed to or may readily be converted to expel a projectile by the action of an explosive; frame or receiver of such weapon; any firearm muzzle or silencer; or any destructive device. A “weapon” includes but is not limited to any firearm, electronic dart gun, knife, sword, billy club, blackjack, bludgeon, metal knuckles, razor, imitation pistol or any other dangerous or deal instrument or object which is not necessary for school purposes and which could be used as a weapon. See New York Penal Law §265.01.

Pursuant to the New York State Guns in School Act, any student found in possession of a firearm will be suspended from school for a period of not less than one year, except that the superintendent of schools may modify such penalty upon consideration of the particular facts of the case, including but not limited to the totality of the circumstances surrounding the offense and the student’s previous record. See Education Law §3214(3) as amended by the New York State Guns in School Act.

Such consideration will be had within the context if a disciplinary hearing held pursuant to Education Law §3214 prior to the imposition of any student suspension in excess of five (5) days. This policy shall not override or alter any obligation of the district to provide the suspended student with appropriate alternate education during the period of his/her suspension, if required.

Once a determination is made that a student brought a firearm to school, the superintendent will refer the student to Family Court or the appropriate law enforcement agency.

All individuals, other than authorized law enforcement personnel, are strictly forbidden to possess a weapon on school district property, in school buildings or vehicles or at school sponsored events or activities. An individual improperly possessing a weapon will be asked to leave the premises and the proper law enforcement personnel will be immediately notified. If the individual is a district employee, (s)he will also be subject to discipline pursuant to law and any applicable discipline agreement provision, If the individual is a student, (s)he will be subject to applicable discipline pursuant to the New York State Guns in Schools Act, the New York State Education Law, and the Student Disciplinary Code as well as appropriate criminal action.

