

Book Policy Manual

Section Vol 40, No 1 Aug 2021 UPDATES

Title Vol. 40, No. 1 - August 2021 New WEAPONS

Code po1617 10.7.21 RJ

Status

1617 - WEAPONS

The Board of Education prohibits staff members from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle, except as permitted by law.

The term weapon includes any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, incendiary devices, explosives, and other objects defined as dangerous ordinances under State law.

The Superintendent shall immediately refer a staff member who violates this policy to law enforcement officials, regardless of whether such staff member possesses a valid concealed weapon license. The staff member who violates this policy will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy and the terms of existing collective bargaining agreements.

Exceptions to this policy include:

- A. weapons under the control of State or Federal agents authorized to carry deadly weapons who are acting within the scope of their duties or law enforcement agents;
- B. weapons carried by security personnel or other designated staff employed by the Board who are qualified under State law to carry a weapon in a school safety zone while on active duty;

[DRAFTING NOTE: The Ohio Supreme Court has ruled that under current State law an employee must have completed either the State-approved basic peace officer training program or have at least twenty (20) years of active-duty experience as a peace officer in order to be qualified to carry a gun onto school property. Gabbard v. Madison Local Sch. Dist. Bd. of Edn. Slip Opinion No. 2021-Ohio-2067 (June 23, 2021). Districts should consult with legal counsel to confirm eligibility requirements under current law before designating an employee to carry a concealed weapon onto school property.]

- C. handguns in the possession of a person who has a valid concealed handgun license or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;
- D. (x) objects indistinguishable from a firearm used during school safety trainings;
- E. (x) Items indistinguishable from a firearm approved by a principal as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);
- F. (x) theatrical props used in appropriate settings;
- G. (x) starter pistols used in appropriate sporting events.
- H.

Staff members shall immediately report any information concerning weapons and/or threats of violence by students, staff members, or visitors to the Administration/Resource Officer. Failure to report such information may subject the staff member to disciplinary

action, up to and including termination.

The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. The notices shall contain a statement substantially in the following form:

Unless otherwise authorized by law, pursuant to R.C. 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone.

The Superintendent shall conspicuously post such notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report. Notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and parcel of land. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.

© Neola 2021

Legal

R.C. 109. 78

R.C. 2923.11, 2923.12, 2923.122, 2923.19, 2923.161, 2923.22, 3313.20

18 U.S.C. 922

Last Modified by Regina Jutz on October 7, 2021