

BIG HORN COUNTY SCHOOL DISTRICT NUMBER ONE  
Box 688  
Cowley, Wyoming 82420  
POLICIES AND REGULATIONS  
File: JICI

**WEAPONS IN SCHOOL**  
(Possession or Use of Weapons)

**Section 1. Definitions.**

1. Items in the following categories are defined as weapons:
  - a. Type 1: Deadly Weapon means but is not limited to a firearm, explosive or incendiary material, motorized vehicle, and animal or other device, instrument, material or substance, which in the manner it is used or is intended to be used is reasonably capable of producing death or serious bodily injury.
  - b. Type 2 : Articles other than firearms used or designed to inflict bodily harm and/or to intimidate other persons. Examples are knuckles, switch blade/butterfly knives, chains, clubs, stars etc.
  - c. Type 3: Articles designed for other purposes but which are being used or threatened to be used to inflict bodily harm and/or intimidate. Examples are belts, combs, pencils, pocket knives, files, compasses, scissors, etc.
2. "Possession" means having a weapon actually in a student's personal possession, or in their desk, or locker (or vehicle)
3. "Use" means threatening to or actually inflicting injury on another person with a weapon.
4. "Campus" means within the boundaries of real property used by the school district primarily for the education of students in grades kindergarten through twelve.

**Section 2. Possession or use of weapons.**

1. Possession of a Type 1 or a Type 2 weapon on campus, or at a school district activity, or within any school bus is prohibited.
2. Use of any type of weapon on campus, or at a school activity, or within any school bus is prohibited at all times.

**Section 3. Penalty.**

1. Any student who possesses, uses, transfers, carries or sells a deadly weapon on the school campus or on any school bus or while in attendance at any school activity, shall be expelled from school for not less than one (1) year except that the superintendent of schools may modify the expulsion requirement on a case by case basis.
2. A student in possession of a type 2 weapon shall be subject to administrative disciplinary action which may include suspension or expulsion of up to one (1) year.
3. A student using any type of weapon shall be suspended immediately from school and referred to the superintendent and the Board of Education for further disciplinary action up to and including expulsion from school.

**Section 4. Expulsion Procedures.**

1. Any student recommended for expulsion shall be afforded an opportunity for a hearing as provided by W. S. 21-4-305(d).

2. If the Superintendent of Schools modifies the expulsion of a student pursuant to Section 3 above, such modification shall be in writing.

**Section 5. Notification to District Attorney.**

1. After the applicable notice and hearing requirements of this section are complied with, if it is determined that a student is to be expelled pursuant to Section 3(a) of this policy, the superintendent shall notify the District Attorney of the violation together with the specific act in violation of this subsection and the name of the student who is being punished pursuant to subsection 3(a) of this policy.

The school district shall refer to the criminal justice or juvenile delinquency system any student who brings a firearm defined in §921 of title XVIII of the United States. \* (See definition to follow)

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Revised: May 11, 1995  
Revised: November 13, 2003

REFERENCE: Big Horn County School District Number 1 Student at Risk Handbook (located in POLICY MANUAL)

\*Section 921. Definitions

1. 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.
2. The term "destructive device" means -
  - a. any explosive, incendiary, or poison gas -
    - 1) bomb
    - 2) grenade
    - 3) rocket having a propellant charge of more than four ounces
    - 4) missile having an explosive or incendiary charge or more than 1/4 ounce
    - 5) mine, or
    - 6) device similar to any device described in the preceding clause;
  - b. any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one half inch in diameter, and
  - c. any combination of parts either designed or intended to use in converting any device into any destructive device described in subparagraph (1) or (2) and from which a destructive device may be readily assembled.

The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device although originally designed for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordinance sold, loaned, or given by the Secretary of the Army

pursuant to the provisions of section 4684(2), 4865, or 4686 of title 10; or any other device which the Secretary of the Treasury finds likely to be used as a weapon, is an antique, or is a rifled for sporting, recreational or cultural purposes.

3. The term "shotgun" means a weapon designed or redesigned, made or remade and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single propellant for each single pull of the trigger.
4. the term "shortbarreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.
5. The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.
6. The term "shortbarreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise.) If such weapon, as modified.