

DANGEROUS WEAPONS IN THE SCHOOLS – File 10.8.8

Firearms, knives, and ammunition are prohibited; martial arts weapons are prohibited; and any other instrumentalities which could be or were used to inflict bodily harm on another person, are prohibited on school premises, on the way to or on the way home from school, or at school-sponsored or school-related events, including athletic games. Police will be notified.

Any student who is found on school premises, on the way to or on the way home from school, or at school-sponsored or school related events, including athletic games, in possession of a dangerous weapon or any other instrumentality which could be or was used to inflict bodily harm on another person, including, but not limited to, a gun or a knife, may be subject to expulsion from the school by the principal. (MGL CH71, s. 37H(a)).

The Individuals with Disabilities Education Improvement Act of 2004 allows school personnel to remove a student with a disability to an interim alternative educational setting for up to 45 school days, if that student carries a weapon to school or possesses a weapon in school, on school premises, or at a school function. A weapon may be any instrumentality which could be or was used to inflict bodily harm on another person.

Effective October 1994, under the FEDERAL GUN-FREE SCHOOLS ACT, a student who is determined to have brought a FIREARM to school shall be expelled from school for a period of not less than one year.

MGL Dangerous Weapons Unlawfully Carried:

- a. Whoever, except as provided by law, carries on his person, or under his control in a vehicle, a firearm loaded or unloaded, as defined in section 121 or Ch 140 without either (4) Having complied as to possession of an air rifle or BB gun; shall be punished by imprisonment in the state prison for not less than two and one half not more than five years in a jail or house of correction.
- h. Whoever owns, possesses, or transfer possession of a firearm, rifle, shotgun or ammunition ... shall be punished by imprisonment in a jail or house of correction for not more than one year or by a fine of not more than \$500.
- j. Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter 140, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of such elementary or secondary school, college or university shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean any pistol, revolver, rifle, or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.