STUDENTS

Weapons and Other Prohibited Objects

I. The rules governing weapons and other objects prohibited by Prince William County Public Schools (PWCS) are set forth in this regulation and are summarized in the PWCS “Code of Behavior.”

To ensure the safety and welfare of students, staff, and other persons on school property or at school activities, and to protect school property, weapons and other prohibited items shall not be permitted on any school property, on school buses, going to or from school, or at any school-related activity, regardless of where that activity takes place. School property means any real property owned or leased by the School Board or any vehicle owned, leased, or operated by or on behalf of the School Board. Students may also be subject to disciplinary action for weapons offenses which occur off school grounds, if the offense results in material disruption to the operation of the school, if the offense is planned in school or at school activities, if the offense occurs when the student is under the school’s authority in loco parentis, if the offense threatens the safety and welfare of students, staff, or school property, or if the offense is otherwise connected to the school. Students may also be subject to disciplinary action for adjudication of those felonies as outlined in Regulation 681-1, “Nontraditional Education Programs.”

II. Examples of Weapons and Prohibited Objects

Weapons and other prohibited objects include any weapons, look-alike weapons, bombs, look-alike bombs, or objects used to threaten, intimidate, or harm others, or to damage or threaten to damage school property. The possession, use, receipt or attempted receipt, purchase or attempted purchase, distribution or attempted distribution of any type of operable or inoperable weapon is expressly forbidden. Distribution includes the delivery, transfer, sale, exchange, barter, or gift of a weapon or prohibited object. Other prohibited items under this regulation include objects which are used as a weapon or attempted to be used as a weapon, or which are reasonably perceived to be a weapon, such as toy guns, toy knives, pencils, craft knives, baseball bats, utility tools, scissors, belt buckles, etc. Examples of weapons and prohibited objects include, but are not limited to, air rifles; air or gas-operated weapons; any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; any firearm prohibited from civilian ownership by federal law; any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely; any fully automatic firearm; any weapon of like kind as those enumerated in this regulation; ballistic knives; baseball bats; BB guns; belt buckles; bicycle chains; blackjacks; bombs; bowie knives; ammunition cartridges (bullet, case/shell, powder, rim, primer); craft knives; darts and other throwing instruments with points or blades; destructive devices; dirk knives; dog choke chains; explosive devices; explosive gas; fighting chains; fire bombs; firearms (any weapon, including a starter gun that will, or is designed or may readily be converted to, expel
single or multiple projectiles by the action of an explosion of a combustible material or the frame or receiver of any such weapon); firearm muffler; firearm silencer; fireworks; grenades; incendiary gas; knives; mace; machetes; metal knucks; mines or other similar devices; missiles having an explosive or incendiary charge of more than one-quarter ounce; non-jewelry chains; nun chahkas; nun chucks; nunchakus; pencils; pepper spray and other chemical agents; pistols; pneumatic guns (any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure; includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact); pocketknives; poison gas; razors; razor blades; revolvers; rockets having a propellant charge of more than four ounces; sawed-off rifles; sawed-off shotguns; scissors; shurikens; slingshots; spring sticks; starter guns; stun weapons; switchblade knives; tasers; tear gas; toy guns; toy knives; utility tools; and wallet chains.

In some cases, there may be a question about whether or not an object is covered by this regulation. The type of object, its purpose, and how it was used or intended to be used shall be considered when deciding if the object violates this regulation.

III. Mandatory Expulsion for Firearm Offenses

In compliance with the federal Improving America’s Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), a School Board shall expel from school attendance for a period of not less than one year any student whom such School Board has determined, in accordance with the procedures set forth in § 22.1-277.07 of the Virginia Code, to have possessed a firearm on school property or at a school-sponsored activity as prohibited by §18.2-308.1 of the Virginia Code; or to have possessed a firearm or destructive device as defined in subsection E of § 18.2-308.1 of the Virginia Code, a firearm muffler or firearm silencer, or a pneumatic gun as defined in subsection E of § 15.2-915.4 of the Virginia Code on school property or at a school-sponsored activity. A school administrator, pursuant to School Board policy, or a School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. Special circumstances shall include, but are not limited to, the factors set forth in subsection C of § 22.1-277.06 of the Virginia Code. In addition, a School Board may, by regulation, authorize the Division Superintendent (Superintendent) (or designee) to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Such regulations shall ensure that, if a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action shall be taken in accordance with the procedures set forth in § 22.1-277.07 of the Virginia Code. Nothing in § 22.1-277.07 of the Virginia Code shall be construed to require a student’s expulsion regardless of the facts of the particular situation.
IV. Expulsion for Other Weapons/Prohibited Objects

The list of weapons and prohibited objects identified in this regulation for which a student may be expelled is broader than the list of weapons for which the law mandates expulsion, and which are set forth in the attachment to this regulation. Even if the weapon does not fall within the class of weapons for which the law requires expulsion, under Regulation 745-1, “Long-Term Suspension or Expulsion of Students,” students shall be recommended for expulsion for the possession, use, receipt or attempted receipt, purchase or attempted purchase, or distribution or attempted distribution of all weapons or prohibited objects, unless the Superintendent’s designee (the principal in conjunction with the appropriate Level Associate Superintendent, the Director of Student Management and Alternative Programs (OSMAP), or an OSMAP hearing officer) finds that special circumstances justify a lesser disciplinary action or no action at all.

V. Duty to Report Weapons and Prohibited Objects

All employees and students of PWCS are required to notify the principal, assistant principal, any community resource officer, security personnel, teacher, or school employee immediately if they have reason to believe that there is, or is likely to be, a weapon in school, on school property, on school buses, at bus stops, or at any school-related activity. Students who have such knowledge but fail to report the presence or anticipated presence of a weapon, may themselves be subject to disciplinary action. The principal (or designee) shall retain commensurate authority to immediately act within School Board policy to assure the safety and welfare of students and staff. Resources of the School Division and local police department shall be available to assist in this action.

VI. Consequences of a Weapons Violation

Any student accused of an offense involving a weapon or other prohibited object(s) shall have an informal conference with the principal or assistant principal of the school. Following the conference and review with the appropriate Level Associate Superintendent, a recommendation for expulsion or other disciplinary action shall be made, in which case the procedures set forth in Regulation 745-1, “Long-Term Suspension or Expulsion of Students,” and Regulation 747-1, “Office of Student Management and Alternative Programs,” shall be followed, as appropriate.

The Associate Superintendent for Special Education and Student Services (or designee) is responsible for implementing and monitoring this regulation.

This regulation and related policy shall be reviewed at least every five years and revised as needed.

PRINCE WILLIAM COUNTY PUBLIC SCHOOLS
LIST OF SCHOOL REPORTABLE OFFENSES FOR WHICH A STUDENT MAY BE REASSIGNED BASED ON CHARGE; OR REASSIGNED, LONG-TERM SUSPENDED, OR EXPELLED FOR ADJUDICATION ON SUCH CHARGE

I. Firearms Offenses, pursuant to Virginia Code §§ 18.2-279 to 18.2-308.1
   § 18.2-279 Discharging firearms or missiles within or at building or dwelling house; penalty
   § 18.2-280 Willfully discharging firearms in public places
   § 18.2-281 Setting spring gun or other deadly weapon
   § 18.2-282 Pointing, holding, or brandishing firearm, air or gas operated weapon or object similar in appearance; penalty
   § 18.2-282.1 Brandishing a machete or other bladed weapon with intent to intimidate; penalty
   § 18.2-283 Carrying dangerous weapons to place of religious worship
   § 18.2-284 Selling or giving toy firearms
   § 18.2-285 Hunting with firearms while under influence of intoxicant or narcotic drug; penalty
   § 18.2-286 Shooting in or across road or in street
   § 18.2-300 Possession or use of “sawed-off” shotgun or rifle
   § 18.2-308 Carrying concealed weapons; exceptions; penalty
   § 18.2-308.1 Possession of firearm, stun weapon, or other weapon on school property prohibited; penalty

II. Homicide, pursuant to Virginia Code §§ 18.2-30 to 18.2-36
   § 18.2-30 Murder and manslaughter declared felonies
   § 18.2-31 Capital murder defined; punishment
   § 18.2-32 First- and second-degree murder defined; punishment
   § 18.2-33 Felony homicide defined; punishment
   § 18.2-35 How voluntary manslaughter punished
   § 18.2-36 How involuntary manslaughter punished

III. Felonious Assault and Bodily Wounding, pursuant to Virginia Code §§ 18.2-41 to 18.2-51
   § 18.2-41 Shooting, stabbing, etc., with intent to maim, kill, etc., by mob
   § 18.2-42.1 Acts of violence by mob
   § 18.2-51 Shooting, stabbing, etc., with intent to maim, kill, etc.

IV. Criminal Sexual Assault, pursuant to Virginia Code §§ 18.2-61 to 18.2-67.5
   § 18.2-61 Rape
   § 18.2-63 Carnal knowledge of child between thirteen and fifteen years of age
   § 18.2-64.1 Carnal knowledge of certain minors
   § 18.2-67.1 Forcible sodomy
   § 18.2-67.2 Object sexual penetration; penalty
   § 18.2-67.3 Aggravated sexual battery; penalty
   § 18.2-67.4 Sexual battery
   § 18.2-67.5 Attempted rape, forcible sodomy, object sexual penetration, aggravated sexual battery, and sexual battery
V. Manufacture, Sale, Gift, Distribution, or Possession of Schedule I or II Controlled Substances, pursuant to Article 1 (§§ 18.2-247, et. seq.) of Chapter 7 of Title 18.2

VI. Manufacture, Sale, Gift, Distribution, or Possession of Marijuana
§ 18.2-248 Manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance prohibited; penalties
§ 18.2-248.1 Penalties for sale, gift, distribution, or possession with intent to sell, give, or distribute marijuana

VII. Arson and Related Crimes, pursuant to Virginia Code §§ 18.2-77 to 18.2-88
§ 18.2-77 Burning or destroying dwelling house, etc.
§ 18.2-79 Burning or destroying meeting house, etc.
§ 18.2-80 Burning or destroying any other building or structure
§ 18.2-81 Burning or destroying personal property, standing grain, etc.
§ 18.2-82 Burning building or structure while in such building or structure with intent to commit felony
§ 18.2-83 Threats to bomb or damage buildings or means of transportation; false information as to danger to such buildings, etc.; punishment; venue
§ 18.2-84 Causing, inciting, etc., commission of act proscribed by §18.2-83
§ 18.2-85 Manufacture, possession, use, etc., of fire bombs or explosive materials or devices; penalties
§ 18.2-86 Setting fire to woods, fences, grass, etc.
§ 18.2-87 Setting woods, etc., on fire intentionally whereby another is damaged or jeopardized
§ 18.2-88 Carelessly damaging property by fire

VIII. Burglary and Related Offenses, pursuant to Virginia Code §§ 18.2-89 to 18.2-93
§ 18.2-89 Burglary; how punished
§ 18.2-90 Entering dwelling house, etc., with intent to commit murder, rape, robbery, or arson; penalty
§ 18.2-91 Entering dwelling house, etc., with intent to commit larceny, assault and battery or other felony
§ 18.2-92 Breaking and entering dwelling house with intent to commit other misdemeanor
§ 18.2-93 Entering bank, armed, with intent to commit larceny

IX. Robbery, pursuant to Virginia Code § 18.2-58
§ 18.2-58 How punished

X. Prohibited Criminal Street Gang Activity, pursuant to Virginia Code §§ 18.2-46.2 to 18.2-46.3
§ 18.2-46.2 Prohibited criminal street gang participation; penalty
§ 18.2-46.3 Recruitment of persons for criminal street gang; penalty
XI. Recruitment of Other Juveniles for a Criminal Street Gang Activity, pursuant to § 18.2-46.3

XII. An act of violence by a mob, pursuant to Virginia Code § 18.2-42.1

XIII. Abduction of any person, pursuant to Virginia Code § 18.2-47 or 18.2-48

XIV. Threats, pursuant to Virginia Code § 18.2-60