



Policy: Gun-Free School
Adopted April 15, 2010

The Gun-Free Schools Act of 1994 requires that any student who is determined to have brought a firearm to school, or to have possessed a firearm at school, be expelled from school for a period of not less than 1 year, except that the Head of School may modify this expulsion requirement for a student on a case-by-case basis, provided that such modification is in writing.

Nothing in this Policy shall apply to a firearm that is lawfully stored inside a locked vehicle on school property, or if it is for activities approved and authorized by MacLaren's Head of School and MacLaren has adopted appropriate safeguards to ensure student safety.

Under this Policy, the term "firearm" has the same meaning given such term in 18 U.S.C. § 921(a). This definition includes, but is not limited to, handguns, rifles, and shotguns, as well as any explosive or incendiary device, such as a bomb, grenade, mine, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, or any similar device.

This definition of "firearm" does not apply to items such as toy guns, cap guns, bb guns, pellet guns, and Class C common fireworks. However, bringing or possessing such devices may still violate MacLaren school policy and/or Colorado law, *e.g.*, by being prohibited as a "dangerous weapon" pursuant to Colo. Rev. Stat. § 22-33-106(1)(d).

MacLaren is required to keep a record of all firearm expulsions. The record is to include a description of the circumstances surrounding any firearm expulsion and that record must, at a minimum, include: (1) the name of the school concerned, (2) the number of students expelled from such school, and (3) the type of firearms concerned. Additional information may include the number of expulsions modified and of those, how many were IDEA students, and, how many students were referred to "alternative educational placements." *See below* and Colo. Rev. Stat. § 22-33-203. At least annually, MacLaren is required to provide this record of firearm expulsions to CSI, who in turn provides it to CDE.

Further, MacLaren is required to refer to the criminal justice or juvenile delinquency system (which can be local law enforcement) any student who brings a firearm or weapon to a school.

This Policy shall be applied in a manner consistent with the Individuals with Disabilities Education Act.

Nothing in this Policy shall prevent MacLaren and/or the Charter School Institute, as appropriate, from allowing an expelled student to receive educational services in an alternative setting.

Sources:

20 U.S.C. § 7151

18 U.S.C. § 921(a) (definition of a "firearm")

20 U.S.C. 1400 *et seq.* (Individuals with Disabilities Education Act)

Colo. Rev. Stat. § 22-33-203 (educational alternatives for expelled students)