

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED:	September 21, 1995	FILE SECTOR: STUDENTS
DATE REVISED:	December 19, 2002	POLICY TITLE: WEAPONS IN THE SCHOOL
DATE REVISED:	January 15, 2009	- STUDENTS WITH DISABILITIES
DATE REVISED:	February 16, 2012	
DATE REVISED:	February 19, 2015	

If a student with a disability brings a weapon to school or otherwise violates Policy JFCJ, the student shall be subject to disciplinary consequences that are (1) consistent with the Individuals with Disabilities Education Act (IDEA), and (2) no harsher than the consequences that would apply to a student without a disability who engaged in the same behavior. A student with a disability who has committed a weapons-related violation usually may be suspended for no more than 5 school days, or, if notice of an expulsion hearing has been sent, no more than 10 school days.

If the incident involved possession of a "weapon" and/or "serious bodily injury" as defined by the IDEA in connection with placements in Interim Alternative Educational Settings (IAES), then the student may be removed to an IAES for up to 45 school days.

Solely for purposes of considering a student's eligibility for and his/her potential placement in an IAES, the term "weapon" is defined by the IDEA as follows: "Weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length. "Serious bodily injury," in turn, means bodily injury that involves: A substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. The definitions in this paragraph, which relate exclusively to the school's consideration of an IAES, do not in any way otherwise limit the application of Policy JFCJ to students with disabilities.

In addition, to the extent required by the IDEA in connection with any weapons-related incident and the related disciplinary consequences, the District shall schedule and conduct a manifestation determination in a timely manner.

If it is determined that conduct was not a manifestation of the disability, students with disabilities shall be subject to disciplinary action, including suspension and expulsion as prescribed by policy JGD and JGE. In such cases, the district will provide services necessary to enable students with disabilities to progress appropriately in the general curriculum and appropriately advance toward achieving IEP goals. Upon review of the student's IEP and placement, the IEP team shall determine the extent of the services necessary.

If it is determined that conduct was a manifestation of the disability, the school district may convene an IEP to consider a change in the behavior intervention plan and educational placement; and/or attempt to obtain a court injunction to remove the student from school.

CROSS REFERENCE: JFCJ, JFCN, JGD, & JGE
LEGAL REFERENCE: §120.13(1), 939.22, 948.60, 948.605, and 948.61, Wis. Stats.,
Federal Gun-Free School Act of 1994, IDEA 1997, & IDEA 2004