

Eagle Butte School District	NEPN Code: JFCJ
Policy Manual	

DANGEROUS WEAPONS IN THE SCHOOL

School districts should be an example of what is required regarding observance and respect for law in society at large. Schools also must be highly conscious of the health, safety, and welfare of students, staff, and the public.

Various state and federal laws as well as board policy forbids the bringing of dangerous or illegal weapons to school or school sponsored activities. Notwithstanding SDCL 13-32-7, it is the policy of the District not to allow individuals with enhanced conceal carry permits to have firearms on school premises, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions. Under state law, a school district may not keep or cause to be kept any list, record, or registry of holders of permits to carry a concealed firearm. (SDCL 22-7-8.6)

Due to the safety of the students, staff, and visitors, a record of who has been granted permission to possess a firearm on school grounds is necessary. It is not practical for the District to allow possession of firearms by enhanced conceal carry permit holders while still providing for safety of students, because the District cannot collect any request and verify or keep on record those individuals proven to the District to have a valid enhanced conceal carry permit.

Under SDCL 13-32-7, the District has the discretion to grant permission for certain individuals to have a firearm, but in the event the District allows it, the law requires such permission to be in writing. But because state law prohibits the District from keeping any written record regarding a concealed carry permit holder, giving written permission and keeping any documentation related to such process makes the District in violation of SDCL 22-7-8.6.

Therefore, the District will not grant permission for enhanced conceal carry permit holders to possess firearms.

Any weapon taken from a student shall be reported to the student's parents. Confiscation of weapons will be reported to law enforcement. Appropriate disciplinary action shall be pursued by the building principal or superintendent.

A dangerous weapon is defined as any firearm, stun gun, or air-gun, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm, or by the manner in which it is used is likely to inflict death or serious bodily harm.

For the purpose of this portion of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas.

No firearms are permitted on any school premises, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions, except for:

1. firearms under the control of law enforcement personnel.
2. starting guns while in use at athletic events.
3. firearms or air-guns at firing ranges, gun shows, or authorized supervised school training sessions for the use of firearms.
4. The ceremonial presence of unloaded weapons at color guard ceremonies.

Any employee violating this policy will be disciplined consistent with district policy, state law, and any applicable negotiated agreement. Any visitor violating this policy may be banned from future entrance onto District property. In addition, violations shall be reported to local law enforcement authorities.

Any student bringing a firearm to school, except as provided by law, shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The Superintendent shall have the authority to recommend to the school board that this expulsion requirement be modified on a case-by-case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504.

Adopted: April 16, 2015

Revised: July 15th, 2024