

PROCEDURES: Exhibit 500.6

PROCEDURE FOR DEALING WITH A GUN IN SCHOOL

1. When an Administrator receives information that a gun is in the school or on school property and the information is reliable, visual verification is done and/or an immediately threatening situation exists, call the police immediately (9-911 in town).
2. If the information is of questionable reliability, visual verification is impossible, and there is no immediate threatening situation, record the information provided by the witness(es) (including their names and their statements). If that process provides information to establish a "reasonable suspicion" that a gun is present in the school or on the school property, proceed to No. 3 and/or 4 below.
3. If the gun is alleged to not be on a student, post two adults near the area where the gun is reported to be in order to secure the area and prevent its removal. Because there is "reasonable suspicion" to believe there is a gun, the Administrator may search the reported area. The two posted adults shall serve as witnesses to the search.
4. If the gun is alleged to be on a student, the Administrator and two other adults should escort the student to the office. The Administrator may search the student's body and/or clothing. A pat down search for a gun should be sufficient to discover whether a gun is present. Strip searches, body cavity searches, and searches of a student's body by a person of the opposite sex are barred by Chapter 808A of the Iowa Code and by Board Policy 500.8. Refer to Board Policy 500.8 and Board Procedures: Exhibit 500.8A for guidance regarding searches.
5. When a gun is found, be extremely careful about touching or holding it. Leave the gun in the place it is found (e.g. in a locker) and secure the area until police arrive. The police may need a search warrant to remove the gun from a locker.
6. When an alleged perpetrator is brought to the office and interviewed by an Administrator, appropriate due process procedures should be followed using Board Policy 500.6 (beginning on Line 20 of page 9). It is recommended that only one adult witness be present during the interview for documentation and assistance. It is important to determine whether the student is identified as a special education student. If he/she is, a review of the student's IEP is necessary to see if it contains information relevant to the behavior exhibited. The special education consultant serving the building and the District's Director of Special Needs shall be notified.

7. When the police have been called because a gun was found, call to inform the student's parents/guardians.
If unable to make contact, document the attempts (e.g., time on clock) to make contact.
Parents/guardians are to be notified by telephone of any immediate suspension. The Superintendent shall also be notified.
8. The police may take the student immediately into custody. If they do, be careful about using the term "suspension" during the interview, if possible, until you know what action the police will be taking.
Timelines for an actual suspension from school may not need to go into effect until later. When the student is immediately taken into custody by the police, time will exist for making the necessary decision(s) according to procedural time-lines.
9. When the student is not a special education student, is not taken into police custody, and after the investigation interview using due process, and all evidence indicates a violation did occur, the Administrator may immediately suspend the student for up to ten days and parent/guardian notification shall be made immediately. During the period of the 10-day suspension, a meeting shall be arranged for the student, parent/guardian, and Administrator with the Superintendent to consider whether expulsion will be recommended to the Board. Keep in mind the timelines-requirement for due process expulsion.
Current federal law requires a student bringing a gun to school to be expelled for a period of not less than one year except as modified by the Superintendent on a case by case basis.
10. When the student is a special education student, is not taken into police custody, and after the investigation and interview using due process indicates a violation did occur, the Administrator may suspend the student. The number of days for the suspension is based on the number of days the student was previously suspended. The maximum number of days in a year that a special education student can be suspended is ten (10), unless a change-in-placement had previously occurred. The Superintendent may seek an injunction to remove a special education student from school when no consent for a change of placement is given, the "stay put" provision would otherwise preclude such action and continuation in school may be dangerous for the student and/or other students. A special education staffing team including the Director of Special Needs shall meet as soon as possible. At the meeting the staffing team may place the student in an alternative educational setting for up to forty-five (45) days or longer in the event of the pendency of a special education due process hearing. During the period of time for the suspension, the staffing team also needs to consider "manifestation" and appropriate educational placement. Refer to Discipline of Special Education Students: Procedures: Exhibit 500.5 for specific

guidelines.

05/04/09

Reviewed 6/9/14, 12/11/17, 09/23/19