

POLICY: WEAPONS-FREE SCHOOL ZONE

J PAUL TAYLOR ACADEMY

www.jaultayloracademy.org

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I. Purpose

The purpose of this policy is to establish J. Paul Taylor (JPTA) as a weapon- and gun-free zone consistent with federal and state law, and further specify who, when, and for what limited purpose a firearm or deadly weapon can be carried on school premises.

II. Background

The State of New Mexico has established schools as deadly-weapon- and gun-free zones by:

- a. Making it a violation of the Code of Ethical Responsibility of the Education Profession to bring firearms onto school premises or possess them on school premises without proper authorization (6.60.9.9(C)(23)(c) NMAC);
- b. Prohibiting volunteers in schools from bringing or possessing firearms or other weapons on school premises except with proper authorization (6.50.18.8(C)(19) NMAC);
- c. Requiring schools to prohibit private persons who use school facilities from having guns on school premises except for those in the possession of authorized law enforcement personnel (6.50.17.8(G)(2) NMAC);
- d. Requiring schools to adopt a policy to provide for the expulsion from school, for a period of not less than one year, of any student who is determined to have knowingly brought a weapon to school (NMSA 1978, § 22-5-4.7(A) (1995)); and
- e. Making it unlawful to carry a deadly weapon on school premises except as expressly permitted under State statute (NMSA 1978, § 30-7-2.1 (1994)).

III. Definitions

- a. "*Deadly weapon*" means any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted; NM Stat. 30-1-12 Definitions (New Mexico Statutes (2018 Edition)).
- b. "*School premises*" means the building and grounds, including the playground, schoolyard, and parking areas and any vehicle in or on which school or school-related activities are being operated; or any other public building or grounds, including public parks and parking areas that

are not school property, in or on which school-related and sanctioned activities are being performed (NMSA 1978, § 30-7-2.1(B) (1994)).

IV. Specifications

- a. Unless expressly permitted under this policy and state and federal law, JPTA is a weapon- and gun-free zone.
- b. On-duty law enforcement officers may carry firearms on school premises. The firearms do not need to be concealed.
- c. Any person who possesses a firearm on school premises in violation of this policy shall be referred to the appropriate law enforcement authorities for prosecution.
- d. Students who possess a firearm, weapon, or destructive device on school premises are subject to discipline imposed under this policy and shall be referred to the appropriate law enforcement authorities for prosecution.
- e. Whether or not a person is found to have engaged in the unlawful carrying of a deadly weapon on school premises, any person found to have violated this policy shall be subject to appropriate consequences, including but not limited to adverse employment action, revocation of volunteer privileges, revocation of building use privileges, and student discipline.

V. Student Discipline for Violation

JPTA Administration will expel from school, for a period of not less than one year, any student who is determined to have knowingly brought a weapon to school premises. The Executive Director may modify the expulsion requirement on a case-by-case basis.

Legal References: 6.11.2.9 B(8) NMAC; 6.50.17.8(G)(2) NMAC; 6.50.18.8(C)(19) NMAC; 6.60.9.9(C)(23)(c) NMAC; NMSA 1978, § 22-5-4.7(A) (1995); NMSA 1978, § 30-7-2.1 (1994)