

# Child Still Expelled for Toy Gun - a Year Later

## Parents want their child back in school. School board says no way

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<http://www.nbcmiami.com/news/local-beat/Child-Gets-Expelled-For-Toy-Gun---a-Year-Later.html>

The 8-year-old boy hasn't been in school for a year and will likely miss another year if the Broward County School Board has its way.

Burgos was **suspended from school in November after a teacher found a toy gun in his backpack.** But when the boy went to register to go back to Pembroke Pines Charter School, he was told he will be expelled for this school year, too, **as part of the county's zero tolerance weapons policy.**

"He made a mistake, but why the severe punishment? I don't understand that," said Magdiel Burgos, Sam's dad.

School board officials said the rules are quite clear and that the **toy gun constituted a weapon.** A school board report on the incident mentions that Samuel showed the toy gun to another student and **it was capable of firing projectiles.** **That's all it takes for it to be considered a weapon.**

"This is in his backpack and it's a toy. **It's not a real gun. It's a toy,**" said Magdiel Burgos, twirling a plastic gun. **The school board said they would admit Samuel into a correctional school for problem children who have been expelled located in Hallandale Beach.**

The parents refused and believe their son has already paid for his mistake enough. Samuel has since been home-schooled, but his parents want him back in public school. "I can't sit here and allow them to send my kid to a school where students have committed actual crimes," Burgos said. "He hasn't committed a crime."

Next week, the family will attend a school board meeting to try and get their son back in class as soon as possible, but that could be after Thanksgiving.

Burgos says his child has been set back emotionally and will probably have to repeat the second grade. He thinks there should be some room to determine that his child didn't bring a real gun to school. "I understand the board is concerned about schools, and as parents we are concerned, too, but they need to work with us," he said.

The school board says it's common sense to know that this kind of item can't be allowed on school campus and that responsibility also falls on parents to know what their children have in their backpacks.