

WEAPONS POLICY

320

I. Purpose

The purpose of this policy is to assure a safe school environment for students, staff and the public.

II. General Statement of Policy

No student or non-student, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

III. Definitions**A. “Weapon”**

1. A “weapon” means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

- B. “School Location”** includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are

ADOPTED: June 6, 2005

AMENDED: January 13, 2011

AMENDED: January 20, 2015

WEAPONS POLICY**320**

conducted, and anywhere students are under the jurisdiction of the school district.

- C. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location.

IV. Exceptions

- A. It shall not be a violation of this policy if a non-student falls within one of the following categories:

1. Licensed peace officers, military personnel, or students or non-students participating in military training, which are on duty performing official duties;
2. Persons authorized to carry a pistol under Minnesota Statute Section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
3. Persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statute Sections 624.714 or 624.715, or other firearms in accordance with Section 97B.045;
 - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”
 - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with Sections 627.714 and 624.715.
4. Possession of dangerous weapons, or replica firearms by a ceremonial color guard;
5. Possession of dangerous weapons, or replica firearms to be used for educational purposes with the written permission of the Executive Director or Director.

- B. Policy Application to Instructional Equipment/Tools

ADOPTED: June 6, 2005

AMENDED: January 13, 2011

AMENDED: January 20, 2015

WEAPONS POLICY**320**

While the school takes a firm “Zero Tolerance” position on the possession, use or distribution of weapons by students, and a similar position with regard to non-students, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or non-students. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

C. Firearms in School Parking Lots

A school may not prohibit the lawful carry or possession of firearms in a school parking lot. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot is specifically limited to non-student permit-holders authorized under Minnesota Statute Section 674.714, to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder’s vehicle shall constitute a violation of this policy.

V. Consequences for Student Firearm Possession/Use/Distribution

A. The school takes a position of “Zero Tolerance” in regard to possession, use or distribution of firearms by students. Consequently, the minimum consequence for students possessing, using or distributing firearms shall include:

1. Immediate out-of-school suspension;
2. Confiscation of the firearm;
3. Immediate notification of police;
4. Parent or guardian notification; and
5. Possible recommendation to the School Board of dismissal for a period of time not to exceed one year.

B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The School Board may modify this requirement on a case-by-case basis.

C. Administrative Discretion

ADOPTED: June 6, 2005

AMENDED: January 13, 2011

AMENDED: January 20, 2015

WEAPONS POLICY

320

While the school takes a “Zero Tolerance” position on the possession, use or distribution of firearms by students, the Executive Director or Director may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. Consequences for Student Weapon (Non-Firearm) Possession/Use Distribution

A. The school takes a position of “Zero Tolerance” in regard to possession, use or distribution of weapons (non-firearms) by students. Consequently, the minimum consequence for students possessing, using or distributing weapons (non-firearms) shall include:

1. Confiscation of the weapon (non-firearm);
2. Notification of police as appropriate;
3. Parent or guardian notification; and
4. Consideration of suspension from school for up to fifteen days with consideration for expulsion.

B. Administrative Discretion

While the school takes a “Zero Tolerance” position on the possession, use or distribution of weapons (non-firearms) by students, the Executive Director or Director may use discretion in determining whether an investigation for the purpose of pursuing an expulsion from school is warranted. Other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VII. Consequences for Weapon Possession/Use/Distribution by Non-Students

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including non-renewal, suspension, or discharge as deemed appropriate by the School Board.
2. Sanctions against employees, including non-renewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority and school policies.

ADOPTED: June 6, 2005

AMENDED: January 13, 2011

AMENDED: January 20, 2015

WEAPONS POLICY

3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Non-Students

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the non-student's violation of policy and may be asked to provide an escort to remove the member of the public from the school location.