

INDEPENDENT SCHOOL DISTRICT 283

SECTION/FILE _____ 501 _____ DATE OF ADOPTION _____ 09/11/06 _____

TITLE _____ Weapons _____

Purpose:

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

General Statement of Policy:

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

DEFINITIONS

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, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stunguns; 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.

School Location

1. “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 of departure from school premises or events, all locations where school-related functions are conducted , and anywhere on one’s person or in an area subject to one’s control in a school location.

Possession

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

EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the office, a student shall not be considered to possess a weapon if she or she immediately turns the weapon over to an administrator, teacher, coach, or staff person or immediately notifies an administrator, teacher, coach or staff person of the weapons’ location.

- B. It shall not be a violation of this policy if a nonstudent falls within one of the following categories:
1. licensed peace officers, military personnel, or students participating in military training, who are on duty performing official duties;
 2. persons authorized to carry a pistol under Minn. Stat., 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 Minn. Stat., Sections 62.714 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 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 624.714 and 624.715.
 4. firearm safety or marksmanship courses or activities conducted on school property;
 5. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
 6. a gun or knife show held on school property;
 7. possession of dangerous weapons, BB guns, or replica firearms with written permission of a principal or other person having general control and supervision of the school or the director of a child care center; or
 8. persons who are on unimproved property owned or leased by the school district unless the person knows that a student is current present on the land for a school-related activity.

C. Policy Application to Instructional Equipment/Tools

While the school district takes a firm 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.

D. Administrative Discretion

While the school district and the school takes a position on the possession, use or distribution of weapons by students, the superintendent 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.