

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

SECOND READ

POLICY SERIES: Student Rights and Responsibilities
SUBJECT: Weapons
BOARD APPROVED: September 2012
REVISION DATE: October 2014

SRR 180 Weapons

I. PURPOSE

The purpose of this policy is to promote 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 District location, except as provided in this policy. The District will act to enforce this policy and to discipline or take other appropriate action against any student, teacher, administrator, other District employee, contractor, volunteer, bus driver or member of the public who violates this policy. In cases in which the District operates programs on sites owned by other entities, the District will consider the policies of the host organization or other district.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. "Weapon" means any object, device or instrument designed as a weapon or otherwise 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.
- B. 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.
- C. No person shall use articles designed for other purposes (e.g., 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.
- D. "District location" includes any District building or grounds, whether leased, rented,

owned or controlled by the District, District bus stops, busses or vehicles, District-contracted vehicles, the area of entrance or departure from District premises or events, and locations of District-related functions, District-sponsored activities, events or trips.

E. "Immediately" means as soon as possible.

F. "Possession" means having a weapon on one's person or in an area subject to one's control in a District location.

IV. EXCEPTIONS

A. A student who finds a weapon on the way to a District 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 building principal/supervisor shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the building principal/supervisor, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator or teacher, or immediately notifies an administrator or teacher of the weapon's location.

B. It shall not be a violation of this policy if a person falls within one of the following categories:

1. active licensed peace officers; military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
2. persons authorized to carry a pistol under Minn. Stat. § 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; or
3. persons who keep or store pistols in a motor vehicle in accordance with Minn. Stat. §§ 624.714 or 624.715 or other firearms in accordance with § 97B.045.

C. Policy Application to Instructional Equipment/Tools

While the 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

The superintendent may use discretion in determining whether, under the circumstances, a course of action other than imposing standard disciplinary consequences is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline. The superintendent shall inform the criminal justice or juvenile delinquency system as soon as practicable when a student brings a firearm to school unlawfully.

CROSS REFERENCES:

SRR 120 Student Conduct & Discipline Policy

LEGAL REFERENCES:

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)

Minn. Stat. § 121A.05 (Referral to Police)

Minn. Stat. § 609.66 (Dangerous Weapons)

Minn. Stat. § 609.605 (Trespass)

Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)

Minn. Stat. § 97B.045 (Transportation of Firearms)

Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)

Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)

18 U.S.C. § 921 (Definition of Firearm)

In re C.R.M., 611 N.W.2d 802 (Minn. 2000)