



Policy Title & Number	501- School Weapons Policy
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Date Created:	June 19, 2018
Past Policy Revision Date(s):	
Related Policy(ies):	
Policy Type (Operating, Board)	Operating

A. Purpose

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

B. Definitions

1. "Weapon"
 - a. 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.
 - 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..
 - c. 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 as such use will be treated as the possession and use of a weapon.
2. "School Location"
 - a. 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 conducted, and anywhere students are under the jurisdiction of the school district.
3. "Possession"
 - a. means having a weapon on one's person or in an area subject to one's control in a school location.

C. Policy Statement

No student, employee, 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. This includes employees and students who are properly licensed to keep pistols or firearms in a motor vehicle in accordance with Minnesota Statute. TrekNorth will not equip employees with weapons and will act to enforce this Policy and to discipline or take appropriate action against any student, teacher, administrator, a school employee, volunteer, or member of the public who violates this Policy.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval by the Director.

D. Associated Procedures or Other Information

I. EXEMPTION

- 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 Executive Director's 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 he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a **non-student** falls within one of the following categories:
 1. active licensed peace officers;
 2. military personnel, or students or non-students participating in military training who are on duty performing official duties;
 3. 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;
 4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat. § 624.714 or 624.715 or other firearms in accordance with § 97B.045;
 - a) 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 § 624.714 and 624.715.

C. Policy Application to Instructional Equipment/Tools

1. 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. There will be times when staff members will need to use items such as a knife for cutting food, at school or on a OAP/SLP trip, and they will not be considered in possession of a weapon. Staff members are expected to exercise discretion and sound judgment when using something that could be construed as a weapon. Additionally, there will be times when students will be using items, such as an exacto knife, under the supervision of a staff member. When a student uses an item in this manner, so long as they follow the instructions given to them by the staff member, that student will not be considered to be in possession of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

1. A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is specifically limited to **non-student permit-holders** authorized under Minn. Stat. § 624.714 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.

II. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/DISTRIBUTION

A. The school district takes a firm position in regard to the possession, use or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using or distributing weapons shall include:

1. immediate disciplinary action;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification.

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 Administration may modify this requirement on a case-by-case basis.

C. Administrative Discretion

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

III. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the Executive Director
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, and school district policies.
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 policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

E. Associated Forms

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)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)

Adopted: July 1, 2018