

## **WEAPONS POLICY**

Adopted: May, 2010

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### **I. PURPOSE**

The ROCORI School District expects a safe, positive and productive learning environment for all students and staff. The purpose of this policy is to assure a safe school environment for students, staff and the public.

### **II. GENERAL STATEMENT OF POLICY**

Violent behavior, of any form, is not supported by the school district. In particular, the district considers issues involving weapons to be extremely serious violations of a safe learning environment. 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 or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

### **III. DEFINITIONS**

A. **WEAPONS:** A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing great bodily harm, death, or which may be used to inflict injury on self or others.

Examples of weapons include but are not limited to:

1. **FIREARMS:** Firearms, as applied in this policy, is consistent with firearms as defined in United States legal code. Any firearm, whether loaded or unloaded; airguns, pellet guns, BB guns, look-alike and non-functioning guns; fireworks, explosives; stunguns; ammunition; any type of bomb or exploding devise;
2. **OTHER WEAPONS:** All knives; blades; clubs; metal knuckles; numchucks; throwing stars; poisons; and objects that have been modified to serve as a weapon.
3. **OTHER OBJECTS:** In addition, articles designed for other purposes, may be considered weapons, dependent upon their use. Examples include but are not limited to items such as belts, combs, pencils, files, scissors, laser pointers, or chains used to inflict bodily harm will be treated as the possession and use of a weapon.

- B. Use of Weapons: Use refers to having a weapon on one's person or in an area subject to one's control and brandishing, displaying with appearance of use, discharging, actual physical engagement or any other actual use of the weapon.
- C. Possession: "Possession" refers to having a weapon on one's person or in an area subject to one's control.
- D. "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 conducted, and anywhere students are under the jurisdiction of the school district.

#### **IV. USE OF WEAPONS:**

Use of a weapon on school grounds is the most serious violation of this policy.

- A. 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. Use of a weapon by a student at any school building, or school grounds, at locations of school activities or trips, on school-owned or contracted busses or vehicles, at all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district, will result in
  1. confiscation of the weapon;
  2. engagement of the appropriate law enforcement agencies including local police;
  3. a meeting with the principal, parents, and student involved;
  4. an initial suspension for ten (10) days; and
  5. a recommendation to the Superintendent and School Board for expulsion.
- B. 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.

#### **V. POSSESSION OF WEAPONS:**

Possession of a weapon by a student at any school building, or school grounds, at locations of school activities or trips, on school-owned or contracted busses or vehicles, at all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.

Possession of a weapon will result in

1. confiscation of the weapon;
2. a meeting with the principal, parents, and student involved;
3. notification of the police department;
4. an initial suspension for five (5) days; and
5. a recommendation to the Superintendent for possible expulsion.

**VI. EXPULSION NOTE:**

Notwithstanding the time limitation in Minnesota statutes, a School Board must expel for a period of at least one year a pupil who is determined to have brought a firearm to school. The board may modify this expulsion requirement for a pupil on a case-by-case basis.

**VII. 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 principal's office shall not be considered in possession of a weapon.

If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered in possession of a weapon if he or she immediately turns the weapon over to an administrator, teacher, coach, supervisor, bus driver, or other school employee, or if the student immediately notifies an administrator, teacher, coach, supervisor, bus driver, or other school employee of the weapon's location.

- B. It shall not be a violation of this policy for students to: handle firearms during approved firearms safety or marksmanship courses or activities conducted on school property under the direction of certified instructors; to possess replica weapons during a color guard performance; or to use weapon facsimiles during student performances with written permission of the building or program administrator.
- C. While the school district takes a firm "Zero Tolerance" position on the possession, use or distribution of weapons by students, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or non-students.

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. While the school district takes a "Zero Tolerance" 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.

- E. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
1. active licensed peace officers;
  2. military personnel, or students or nonstudents 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. a gun or knife show held on school property;
  5. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center;
  6. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity; or
  7. 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 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 §§ 624.714 and 624.715.

## **VIII. 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 school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Nonstudents

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.

**IX. DISCLOSURE**

A student's expulsion, withdrawal, or transfer from ROCORI after an expulsion action is initiated for a weapons violation, must be disclosed to another school district in connection with the possible admission of the student to the other district.

**X. NOTIFICATION OF POLICY:**

Students and parents will be made aware of this policy, as appropriate, through student handbooks, policy handout distribution, school assemblies, local newspaper, district newsletter, and teacher-led classroom discussions.