

1 Great Falls School District

2

3 **STUDENTS**

3311

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5 Firearms and Weapons

6

7 Firearms

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9 For the purposes of the firearms section of this policy, the term “firearm” means (A) any weapon
10 (including a starter gun) which will or is designed to or may readily be converted to expel a
11 projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any
12 firearm muffler or firearm silencer; or (D) any destructive device pursuant to 18 U.S.C. 921 (4).
13 Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

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15 It is the policy of the Great Falls Public Schools to comply with the federal Gun Free Schools
16 Act of 1994 and state law 20-5-202 (2), MCA, pertaining to students who bring a firearm to, or
17 possess a firearm at, any setting that is under the control and supervision of the school district. In
18 accordance with 20-5-202 (3), MCA, a teacher, superintendent, or a principal shall suspend
19 immediately for good cause a student who is determined to have brought a firearm to, or possess
20 a firearm at, any setting that is under the control and supervision of the school district. The
21 Policy does not govern conduct in a student’s home, a non-school parking lot, or a commercial
22 business when the student is participating in an online, remote, or distance-learning setting
23 unless they have made a threat or there is a perceived threat. In accordance with Montana law, a
24 student who is determined to have brought a firearm to, or possess a firearm at, any setting that is
25 under the control and supervision of the school district must be expelled from school for a period
26 of not less than one (1) year.

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28 However, the Board of Trustees, through this policy, authorizes the Superintendent and the
29 Administrative Hearing Panel to use their discretion on a case-by-case basis and modify the
30 requirement of expulsion of a student if they deem such modification to be warranted under the
31 circumstances.

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33 A decision to change the placement of a student with a disability who has been expelled pursuant
34 to this section must be made in accordance with the Individuals with Disabilities Education Act.

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36 Before holding a hearing to determine if a student has violated this Policy, the Board shall, in a
37 clear and timely manner, notify the student if the student is an adult or notify the parent or
38 guardian of a student if the student is a minor that the student may waive the student’s privacy
39 interest by requesting that the hearing be held in public and invite other individuals to attend the
40 hearing.

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42 Before expelling a student under this Policy, the Board shall hold a due process hearing that
43 includes presentation of a summary of the information leading to the allegations and an
44 opportunity for the student to respond to the allegations. The student may not be expelled unless
45 the Trustees find that the student knowingly, as defined in Section 1-1-204, MCA, brought a
46 firearm to school or possessed a firearm at school.

1 The provisions of this Policy do not require the Board to expel a student who has brought a
2 firearm to school or possesses a firearm at school if the firearm is secured in a locked container
3 approved by the District or in a locked motor-vehicle the entire time the firearm is at school,
4 except while the firearm is in use for a school-sanctioned instructional activity.
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6 Possession of Weapons other than Firearms 7

8 The District does not allow weapons on school property. Any student found to have possessed,
9 used, or transferred a weapon on school property will be subject to discipline in accordance with
10 the District's discipline policy. For purposes of this section, "weapon" means any object, device,
11 or instrument designed as a weapon or through its use is capable of threatening or producing
12 bodily harm or which may be used to inflict self-injury, including but not limited to air guns;
13 pellet guns; BB guns; fake (facsimile) weapons; all knives; blades; clubs; metal knuckles;
14 nunchucks (also known as nunchucks); throwing stars; explosives; fireworks; mace or other
15 propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified
16 to serve as a weapon.
17

18 No student shall possess, use, or distribute any object, device, or instrument having the
19 appearance of a weapon, and such objects, devices, or instruments shall be treated as weapons,
20 including but not limited to weapons listed above which are broken or non-functional, look-alike
21 guns; toy guns; and any object that is a facsimile of a real weapon. No student shall use articles
22 designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors,
23 etc.) to inflict bodily harm and/or intimidate, and such use will be treated as the possession and
24 use of a weapon.
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26 The District will refer to law enforcement for immediate prosecution any person who possesses,
27 carries, or stores a weapon in a school building, and the District may take disciplinary action as
28 well in the case of a student. In addition, the District will refer for possible prosecution a parent
29 or guardian of any minor violating this policy on grounds of allowing a minor to possess, carry,
30 or store a weapon in a school building. (MCA 45-8-361 (1) (2))
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32 For the purposes of this section only, "school building" means all buildings owned or leased by a
33 local school district that are used for instruction or for student activities. (MCA 45-8-361 (5a))
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35 The Board may grant persons and entities advance permission to possess, carry, or store a
36 weapon in a school building. For the purposes of education, instruction and ceremonial
37 occasions, the building principal, in consultation with the school resource officer, may grant
38 students or faculty prior written permission to bring a weapon or disabled firearm into a school
39 building. The Superintendent or designee will be notified by the building principal each time
40 permission is granted for an individual or group to bring weapons on to a GFPS school campus
41 for educational purposes. (ex. Hunter education classes, History lessons, Shop class, archery etc.)
42

43 All other persons who wish to possess, carry, or store a weapon in a school building must request
44 permission of the Board at a regular meeting. The Board has sole discretion in deciding whether
45 to allow a person to possess, carry, or store a weapon in a school building. (MCA 45-8-361 (3b))

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 2 This policy does not apply to law enforcement officers. (MCA 45-8-361 (3a))
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4 The Trustees shall annually review this policy and update this policy as determined necessary
 5 based on changing circumstances pertaining to school safety.
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7 Cross Reference:

8 Policy 3226	Hazing/Harassment/Intimidation/Bullying - Students
9 Policy 3310	Student Discipline
10 Policy 4226	Hazing/Harassment/Intimidation/Bullying – Community Relations
11 Policy 4315	Spectator Conduct
12 Policy 4332	Conduct of School Property
13 Policy 5223	Personal Conduct
14 Policy 5226	Hazing/Harassment/Intimidation/Bullying - Personnel

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 16 Legal Reference:

17 § 20-5-202, MCA	Suspension and expulsion
18 § 45-8-361, MCA	Possession or allowing possession of a weapon in a school building
19 20 U.S.C. § 7151, et seq.	Gun Free Schools Act of 1994
20 18 U.S.C. § 921	Definitions
21 NCLB, Section 4141	Gun Free Requirements

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 23 Policy History:

24 Adopted on:	April 28, 2014
25 Revised on:	May 23, 2016
26 Reviewed on:	May 22, 2017
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