

Policy 501 SCHOOL WEAPONS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

No student or nonstudent, including teachers, administrators, school employees, volunteers, visitors, or any member of the public, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The district will act to enforce this policy and to discipline or take appropriate action against anyone who violates this policy. This policy *does* apply to persons authorized by a permit to carry a firearm, except as stated below.

III. DEFINITIONS

- A. A “firearm” is defined as a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive charge or element, such as gunpowder. A firearm as herein defined may cause serious injury or death.
- B. 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 including, but not limited to: any firearm (whether loaded or unloaded), air guns, pellet guns, BB guns (whether loaded or unloaded), all knives, blades, clubs, metal knuckles, nunchucks, 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.
 - 1. 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.
 - 2. 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.
- C. “School Location” includes any district building or grounds, whether leased, rented, owned or controlled by the district, 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 district.
- D. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location, including a vehicle parked on school grounds.

- E. “Dangerous Weapon” means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flashpoint below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.

IV. EXCEPTIONS

- A. A student who finds a weapon in a school location, or a student who discovers that they accidentally have a weapon in their possession must immediately contact a school administrator.
- B. If a student discovers that they accidentally have a weapon in their possession, and the student fails to contact a school administrator immediately, the student will be deemed to have committed a separate violation of the policy prohibiting weapons in school.
- C. It shall not be a violation of this policy if a nonstudent, nonemployee, student where specified, or situation falls within one of the following categories:
1. Active licensed peace officers or military personnel participating in military training, when they are on duty performing official duties.
 2. Persons authorized to carry a pistol under Minnesota Statutes 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 Minnesota Statutes, Sections 624.714 or 624.715 or other firearms in accordance with Minnesota Statutes, 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 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 Sections 624.714 and 624.715.

4. Firearm safety or marksmanship courses or activities for students or non-students conducted on school property.
5. Ceremonial color guard in possession of dangerous weapons, BB guns, or replica firearms.
6. Possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other school/district administrator.

D. Policy Application to Instructional Equipment/Tools

While the district does not allow the possession, use or distribution of weapons by students or non-students, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. 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.

V. CONSEQUENCES FOR STUDENT POSSESSION, USE, OR DISTRIBUTION OF A WEAPON

- A. The district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students willfully possessing, using or distributing weapons shall include:
 1. Immediate out-of-school suspension.
 2. Confiscation of the weapon.
 3. Immediate notification of police.
 4. Parent or guardian notification.
 5. Possible recommendation to the superintendent of expulsion for a period of time not to exceed twelve months.
- B. The superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.
- C. Pursuant to Minnesota law, a student who brings a firearm to school, will be expelled for at least twelve months. The school board may modify this requirement on a case-by-case basis.

VI. CONSEQUENCES FOR WEAPON POSSESSION, USE, OR DISTRIBUTION BY NONSTUDENTS

- A. Employees

1. An employee, including one authorized by permit to carry a firearm, 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 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. In addition, criminal charges may be filed.

VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES

- A. The district must electronically report to the Commissioner of Education incident involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.

Policy 501 School Weapons

Adopted: 02.12.2004; Updated: 12.2007; 06.13.2016; 01.23.2017; 11.22.2021

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

Legal References: Minn. Stat. § 97B.045 (Transportation of Firearms)
Minn. Stat. § 121A.05 (Referral to Police)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 152.01, subd. 14(a) (Definition of a School Zone)
Minn. Stat. § 609.02, subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.66 (Dangerous Weapons)
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)
In re A.D., 883 N.W.2d 251 (Minn. 2016)

Cross References: Policy 403 - Dismissal of Employees
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)