

STUDENT USE OF WEAPONS

This policy applies to all students of the District, regardless of age.

A. Weapons Prohibited

1. No student shall possess, use, store, transfer or make accessible to another person any weapon while the student is (a) at school or under the supervision of a school district authority, regardless of the student's location; (b) in any building or facility or on grounds or premises owned, occupied or controlled by the District, at any time; (c) in any District-owned vehicle or on any form of District-provided transportation, at any time; and/or (d) participating in or attending any District-sponsored program or activity.
2. No student, while not at school or while not under the supervision of a school authority, shall possess, use, store, transfer or make accessible to another person any weapon in a manner which (a) endangers the property, health or safety of others who are at school or under the supervision of a school authority; or (b) endangers the property, health or safety of any employee or School Board member of the District.
3. No student shall keep or store, or allow any other person to keep or store, a weapon in a vehicle at any time when the vehicle is located on school premises or on other property owned, occupied or controlled by the District.
4. No student shall falsely represent as a weapon anything that, although not actually a weapon, has or has been given the appearance of a weapon (e.g., to intimidate or threaten another person).

B. Exceptions to the Prohibitions against Student Possession of Weapons

The prohibitions on weapons identified above do not apply in the following circumstances:

1. Where a weapon (other than a bomb, explosive, or similar destructive device) has been approved by the building principal, in advance, for purposes of a specific demonstration or educational presentation, provided that the weapon shall be maintained in the possession of the principal or designated responsible employee except during the actual demonstration or presentation.
2. Pursuant to any other exception that is consistent with applicable law and that is approved in advance in writing by the Superintendent or designee.
3. In addition, it shall not be considered a violation of this policy for a student to possess or use a potentially dangerous object or substance which might otherwise fit this policy's definition of a weapon or which might improperly be used as a weapon (e.g., certain knives, cutting instruments, equipment, or tools), provided that (1) the object or substance has been authorized or issued by the District; and (2) the object or substance is possessed and used exclusively for its limited and authorized purpose(s).

C. Definitions

As used in this policy, the term "weapon" includes, but is not necessarily limited to, the following:

1. any firearm, whether loaded or unloaded, assembled or unassembled, partial or complete;
2. any bomb, explosive, or similar destructive device;
3. any device which is designed, used or intended to be used to immobilize or incapacitate persons by the use of electric current;
4. any beebie or pellet-firing gun that expels a projectile through the force of air pressure;
5. any poisons or dangerous chemicals, including pepper spray;
6. any ammunition;
7. knives and other cutting instruments;

8. any device designed as a weapon and capable of producing great bodily harm;
9. weapon facsimiles which could be reasonably mistaken for an actual dangerous weapon whether or not it was manufactured for that purpose;
10. any other object which, in the manner it is used is intended or likely to produce significant injury or great bodily harm; or
11. any other device or object defined as a weapon by state or federal law.

D. Additional Student Responsibilities

1. Students are responsible for taking reasonable steps, in advance, to ensure that any item in their possession or control is not prohibited by this policy. Students who have questions about whether an item is covered by this policy, or whether a particular exception identified in this policy may apply in a specific situation should contact their building principal as soon as possible.
2. A student who finds him/herself inadvertently in possession of a weapon in violation of this policy shall immediately surrender the weapon to a school staff member. An investigation will occur into the circumstances surrounding the possession and surrender of the weapon, and then a decision will be made whether to discipline the student, after a consultation between the principal and the designated Assistant Superintendent. If the weapon is surrendered before the student is discovered to be in possession of the weapon and before any incident or disturbance occurs involving the weapon, such factors shall weigh in favor of the student.
3. If any student has reason to believe that any student, District employee, volunteer, visitor or other person possesses, or has used or stored a weapon in violation of this policy or any other District policy, the student should immediately report that belief to a teacher, building principal or other responsible adult. Any act of retaliation against a student who, in good faith, reports a possible violation of this policy or participates in the investigation of such a report is prohibited.

E. Procedure and Sanctions for Violations

When a student is in violation of the District's weapons policy, these steps and guidelines shall be followed:

1. Confiscate and secure the weapon if it can be done safely and reasonably, or call 911 and request assistance if needed.
2. Contact the student's parent or guardian as soon as possible.
3. Hold an administrative meeting with the student to: (a) inform the student of the policy provision that has been violated; (b) confront the student with the evidence; and (c) provide an opportunity for the student to respond to the allegations. Notify the designated Assistant Superintendent.
4. Any time school officials determine that a student has possessed any firearm, bomb, explosive or similar destructive device, or used any other type of weapon to commit a violation of school rules against another person, or otherwise cause bodily harm while at school or while under the supervision of a school authority, an administrator shall refer the student and the incident to law enforcement.
5. In situations where it has been determined that the student possessed a firearm, bomb, explosive or similar destructive device, an administrator shall also suspend the student and commence expulsion proceedings. If determined to be guilty, the School Board shall expel the student from school for at least one year. The School Board may modify this expulsion requirement on a case-by-case basis, as provided by law.

6. In situations involving other weapons violations under this policy, the student shall be considered for disciplinary action in reasonable consequence to the severity and circumstances of the violation, ranging from behavior plan/parental conference up to and including potential expulsion from school.
7. Where applicable, the District may also impose sanctions under the school activity/athletic code.
8. The requirements of this section shall be construed and implemented in a manner consistent with the requirements of the Individuals with Disabilities Education Act.

F. Notice

Students shall be given notice of the conduct prohibited by this policy and the related student responsibilities each year.

Legal References:

Wisconsin Statutes

Section 118.07	[school safety plans]
Section 118.31	[use of reasonable force to obtain weapon]
Section 120.13(1)	[board authority for rule-making and for suspension and expulsion]
Section 120.13(1)(bm)	[state law suspension mandate for possession of a firearm]
Section 120.13(1)(c)2m	[state law expulsion mandate for possession of a firearm]
Section 120.13(1)(g)	[board authority to modify expulsion mandate on case-by-case basis]
Section 941.295(1c)(a)	[definition of “electric weapon”]
Section 943.13	[criminal trespass law, includes provisions related to carrying firearms]
Section 948.60	[possession of a dangerous weapon under 18 years of age]
Section 948.605	[gun-free schools zones]
Section 948.61	[dangerous weapons other than firearms on school premises]

Federal Laws

Gun-Free Schools Act	[student possession of firearms prohibited; student referral to law enforcement/juvenile justice system required in policy]
18 U.S.C Sec. 921(a)	[federal definition of “firearm” (including destructive devices) that is used within the Gun-Free Schools Act and within state law governing suspensions/expulsions for firearms - section 120.13(1)(c)(2m)]
Individuals with Disabilities Education Act	[programs and services for students with disabilities; includes authority to order change of placement for weapons possession]

Cross References:

449 – Student Suspension/Expulsion
 832 – Weapons on School Premises

APPROVED: April 1993
 REVISED: November 1994
 June 2016