

INDEPENDENT SCHOOL DISTRICT 719
PRIOR LAKE - SAVAGE AREA SCHOOLS**501 WEAPONS****I. PURPOSE**

The purpose of this policy is to maintain a safe learning and working environment that is free from weapons of any type.

II. DEFINITION**A. Weapon**

A weapon means any object, device, or instrument designed as a weapon or common object that through its use is capable of threatening or producing bodily harm, death, or self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; paintball gun; sling shots; all knives; blades; clubs; metal knuckles; whips; nunchucks; throwing stars; explosives; fireworks; pepper spray and other propellants; stun guns; taser guns; ammunition; poisons; non-decorative chains; arrows; replica weapons; and objects that have been modified to serve as a weapon. "Weapon" includes any object device, or instrument having the appearance of a weapon, including but not limited to, weapons previously listed which are broken or non-functional; look-alike guns; toy guns; and any object that is a facsimile of a real weapon. "Weapon" also includes any article designed for other purposes but used to inflict bodily harm and/or intimidate including, but not limited to, lasers; laser pointers; belts; pencils; and scissors.

B. School Location

Includes any school building or grounds, whether leased, rented, owned or controlled by the school, location 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 Independent School District No. 719.

C. Possession

Means having a weapon on one's person or in an area subject to one's control in a school location.

III. GENERAL STATEMENT OF POLICY

No student, or non-student, including adults, visitors, and employees, shall possess, use, or distribute a weapon when in a school location except as provided in this policy. Independent School District No. 719 will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, individual offering services on school premises, volunteer, or member of the public who violates this policy.

IV. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY STUDENT

- A. Consequences for students possessing, using, or distributing weapons shall include:
 - 1. Confiscation of the weapon;
 - 2. Immediate out-of-school suspension for not less than 3 days;
 - 3. Immediate notification of the police or police liaison;
 - 4. Parent or legal guardian notification; and
 - 5. Consideration for probable expulsion.
 - 6. In the case of a student who brings a firearm, as defined by federal law, to school, the student will be expelled for at least one year, pursuant to Minnesota law. The superintendent may modify such expulsion on a case-by-case basis.

V. 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 non-renewal, suspension, or discharge as deemed appropriate by the school board.
 - 2. Sanctions against employees, including non-renewal, 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 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 immediately. 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.

VI. EXCEPTIONS

- A. A student who finds a weapon, on the way to school or in a school location, or a student who discovers that the student accidentally has a weapon in the student's possession, and takes the weapon immediately to the principal's office, shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she

immediately turns the weapon over to an administrator, teacher, coach, bus driver, or responsible adult, or immediately notifies an administrator, teacher, coach, bus driver, or responsible adult of the weapon's location.

B. It shall not be considered a violation of this policy if a non-student falls within one of the following categories:

1. Active licensed peace officers, including School Resource Officers;
2. Military personnel, or students or non-students participating in military training who are on duty; performing official duties;
3. Persons with a permit to carry a pistol under Minnesota Statute Section 624.714 while they are in a motor vehicle or outside of a motor vehicle to directly place the firearm in, or retrieve it from, the trunk or rear area of the vehicle;
4. Persons who keep or store in a motor vehicle pistols in accordance with state statute or other firearms in accordance with state statute;
 - a. MN Statutes 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. MN Statutes 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.
5. Firearm safety or marksmanship courses or activities conducted on school property; to use weapon facsimiles/replicas during student or community facility user groups performances or for instruction with written permission of the building or program administrator;
6. Possession of weapon by a ceremonial color guard;
7. A gun or knife show held on school property;
8. Possession of a weapon with the written permission of the superintendent or designee.
9. Persons who are on unimproved property owned or leased by the school district unless the person knows that a student is currently present on the land for a school-related activity.

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use, or distribution of weapons by students or nonstudents, this policy 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.

D. Firearms in School Parking Lots and Parking Facilities

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 by Minnesota Statute Section 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.

E. Administrative & Board Discretion

While the school district does not tolerate the possession, use, or distribution of weapons by students or non-students, the superintendent or designee 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.

VII. DISCLOSURE

A student’s expulsion, withdrawal, or transfer from the school district 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.

VIII. STUDENT EXPELLED ELSEWHERE

A student expelled in another school district for a weapons violation will not be permitted to enroll in the Prior Lake – Savage Area Schools unless that student becomes a resident of the Prior Lake – Savage Area School District, and then only after a thorough review of the circumstances surrounding the expulsion will a decision for admittance be determined.

IX. NOTIFICATION OF POLICY

Students and parents/legal guardians will be made aware of this policy through student handbooks, policy handout distribution, school assemblies, and teacher–led classroom discussions. A copy of the policy will be placed on the district website.

Legal References: MN Stat. § 97B.045 (Transporting Firearms)
MN Stat. § 121A.05 (Policy to Refer Firearms Possessor)
MN Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
MN Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
MN Stat. § 121A.44 (Expulsion for Possession of Firearm)
MN Stat. § 121A.58 (Corporal Punishment; Prone Restraint; And Certain Physical Holds)
MN Stat. § 152.01, subd. 14(a) (Definition of a School Zone)
MN Stat. § 609.02, subd. 6 (Definition of Dangerous Weapon)
MN Stat. § 609.605 (Trespass)
MN Stat. § 609.66 (Dangerous Weapons)
MN Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
MN 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 (MN 2000)
In re A.D., 883 N.W.2d 251 (MN 2016)

Cross References: [Policy 403 \(Discipline, Suspension, and Dismissal of School District Employees\)](#)
[Policy 506 \(Student Discipline\)](#)
[Policy 903 \(Visitors to School District Buildings and Sites\)](#)

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