

WEAPONS ON SCHOOL PREMISES

The possession and/or use of a firearm, whether loaded or unloaded, any destructive device, or other dangerous weapon (as defined under [section 948.61](#) of the state statutes) is prohibited at all times in school buildings and other buildings owned, occupied or controlled by the school district, on school premises, in school-provided transportation, and at activities under a school's control and supervision, except (1) in any situation where state law prohibits a school district from restricting an individual's right to possess a firearm or other weapon in such locations; and (2) the Board does not intend for this policy to restrict the authority of a qualified current law enforcement officer or a qualified former law enforcement officer to possess (and, where necessary in a safety emergency, use) any agency-approved weapon when acting in his/her official capacity or his/her licensed firearm to the same extent otherwise permitted by applicable state and federal law and agency policy.

Dangerous Weapons Prohibited

No District official, District employee or any other person, including but not limited to any visitor, volunteer, or contractor, may possess, use, or store any dangerous weapon in any school or other building or facility that is owned, occupied or controlled by the District; on the grounds of a school or on other school premises; in any District-owned vehicle or on any form of District-provided transportation; or at any District-sponsored program or activity not held on school grounds or on school premises, where such program or activity qualifies as a special event having restricted access that is controlled by the District.

In addition, to the extent such restrictions are not otherwise prohibited by law and subject to the specific exceptions authorized in this policy:

1. No District employee shall possess or use a dangerous weapon at any time when acting within the scope of his/her employment; and
2. Neither a District employee; nor a District contractor who is working in a location where District employees or students are present in connection with a District-related program, event, or activity; nor any District-authorized volunteer shall possess or use any dangerous weapon when acting in his/her District-authorized capacity, regardless of the location where such duties are performed (including, for example, on District field trips).

Definition

1. A "destructive device" means:
 - a. Any explosive, incendiary, or poison gas, including a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device;
 - b. Any weapon that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter; or

- c. Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.
2. "Firearms" include handguns, shotguns, rifles and other firearms, either loaded or unloaded, listed below.
 - a. "Handgun" means any weapon designed or redesigned, or made or remade, and intended to be fired while held in one hand and to use the energy of an explosive to expel a projectile through a smooth or rifled bore.
 - b. "Shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shots or a single projectile for each single pull of the trigger.
 - c. "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.
 - d. "Other firearms" include any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, and any firearm muffler or firearm silencer.
3. "Other dangerous weapon" is any dangerous weapon that is not a destructive device or firearm. This would include any weapon, device, instrument, or material, or substance, animate or inanimate that is used for, or is readily capable of causing death or serious bodily injury. There may be several objects that are questionable regarding whether they are considered weapons and whether the presence of these objects requires activation and enforcement under Board policy. The administrator may use his/her discretion when interpreting use and intent with such objects.
4. "Facsimile firearm" includes any replica, toy, or other object that bears a reasonable resemblance to, or can be perceived to be, an actual firearm.
5. "Facsimile dangerous weapon" includes any replica, toy, or other object that bears a reasonable resemblance to, or can be perceived to be, an actual dangerous weapon.

This policy also applies to the possession of any facsimile firearm that could reasonably be expected to alarm, intimidate, threaten, or terrify another person.

When implementing this policy, school administrators and other employees should be aware that state-issued licenses permitting certain private individuals to lawfully carry a handgun or certain other weapons in various public places generally do not permit the possession, carrying or use of such weapons in schools or on school premises.

This policy is not intended to prohibit the possession or use of potentially dangerous objects not designed primarily as weapons, provided that such objects have been issued or expressly authorized by the District, and provided that such objects are possessed and used exclusively for their limited and authorized purpose.

Law enforcement officials shall be contacted to help deal with a weapons situation which presents an immediate threat to safety. If the situation does not allow an opportunity to contact law enforcement officials immediately, school staff shall attempt to diffuse and control the situation in the safest manner possible until law enforcement officials can be summoned. In addition to reporting actual weapons situations to law enforcement officers as required by this policy, school employees and other mandated reporters of threats of school violence are also required to report any serious and imminent threat of violence in or targeted at a school that they become aware of to a law enforcement agency in accordance with state law requirements and Board policy. Appropriate information and training shall be provided to staff in dealing with weapons situations in accordance with the school safety plan.

Hunter Safety

Although the District supports the importance of the safety of hunters and the tradition of hunting in Wisconsin, the District does not allow hunter safety courses to be taught in District facilities or on District property. Students taking hunters safety courses are expressly prohibited from storing their weapons in their lockers, in school buildings, on school property, or in their vehicle while their vehicle is present on or near school property.

Hunting on School Grounds

The District expressly prohibits hunting in the school forest, wetlands, or any property owned by the District. Violators will be referred to the proper law enforcement agency.

Violation of Policy

As required by state law, students possessing a firearm on school premises, while under the supervision of a school authority, the student shall be suspended from school, referred for an expulsion hearing, and expelled from school for not less than one year. As also provided by law, exceptions/modifications may be made by the School Board on a case-by-case basis.

Employees violating this policy may be subject to disciplinary action up to and including termination of employment, and shall be referred to law enforcement officials for prosecution under applicable state laws and/or local ordinances.

Any other person violating this policy shall be referred to law enforcement officials for prosecution under applicable state laws and/or local ordinances.

This policy shall be published annually in student and staff handbooks and through other means appropriate to notify the public as required by law or determined by the administration.

On a case-by-case basis, the Board may give advance approval allowing an exception to this policy for a specific event or activity, provided that the request for such an exception is also consistent with the discretionary exceptions authorized under state law.

ADOPTED: June 27, 1994

REVISED: May 22, 1995
March 24, 2003
November 25, 2013
October 28, 2019

LEGAL REFERENCES:

Wisconsin Statutes

| | |
|--|--|
| Section 48.981(2)(a) | [list of persons specified as mandatory reporters of child abuse and neglect and threats of school violence] |
| Section 118.07 | [school safety plans] |
| Section 118.31 | [use of reasonable force to obtain weapon] |
| 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 175.32 | [mandatory reporting of threats of school violence] |
| Section 175.60 | [license to carry a concealed weapon] |
| Section 941.23 | [carrying a concealed weapon] |
| Section 943.13 | [criminal trespass law, includes provisions related to carrying firearms] |
| Section 948.60 | [possession of 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 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 REF.: JGD, Student Suspension
JGE, Student Expulsion
JFCI, Student Use and Possession of Weapons
Crisis Response Plan

REVIEW DATE: October 28, 2019