

501 Weapons

I. Purpose

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

II. General Statement of Policy

No student or non-student, including adults and visitors, shall possess, use or distribute a weapon when in a school location except peace officers or as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer or member of the public who violates this policy.

III. Definitions

Weapon: 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 may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; bats; pellet guns; BB guns; 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.

School Location: “School location” includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school busses or 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 school district including lockers.

Possession: “Possession” is defined as having a weapon on one’s person or in an area subject to one’s control on school property or at a school-sponsored activity. A student’s person and locker may be subject to search. A student who finds a weapon on the way to school or in the school building, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the director’s office shall not be considered to possess a weapon. Parents must pick up such items from the school directly.

IV. Consequences for Weapons Possession, Use, Distribution

A. No student 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 nonfunctional, look-alike guns, toy guns; and any object that is a facsimile of a real weapon.

B. No student shall use articles designed for other purposes (i.e. 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. North Shore Community School takes a position of “Zero Tolerance” in regard to the possession, use or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using or distributing weapons may include an initial out-of-school suspension for five (5) days, confiscation of the weapon, notification of police, parent notification, and recommendation of dismissal for up to one year.

V. Policy Application to Instructional Equipment/Tools

While North Shore Community School takes a firm “Zero Tolerance” position on the possession, use or distribution of weapons by students, such a position is not meant to interfere with the instruction or use of appropriate equipment and tools by students. Such equipment and tools when properly used and stored shall not be considered a violation of the rule against the possession, use or distribution of weapons by students. 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.

VI. Administrative Discretion

While North Shore Community School takes a “Zero Tolerance” position on the possession, use or distribution of weapons by students, there could be a rare occasion when a weapon is inadvertently brought onto School property. If such an occasion is clearly the case, the director, after a thorough investigation, may use discretion in determining whether, under the circumstances, a course of action other than an automatic recommendation for dismissal is warranted. If so, other appropriate action may be taken, including a recommendation for lesser discipline.

VII. Dissemination of Policy

A. This policy shall be available in its entirety online at the NSCS website. A summary will be in the parent/student handbook.

B. North Shore Community School will develop a method of discussing this policy with students and employees.

C. North Shore Community School shall post, at each entry, the following: “North Shore Community School bans guns/weapons on these premises”.

Legal References:

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 121A.05 (Referral to Police)
Minn. Stat. § 609.66 (Dangerous Weapons)

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Reviewed: 3/25/2019

Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. § 97B.045 (Transportation of Firearms)
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)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)