

4. When a person possesses and uses a firearm or other hunting weapon and is legally hunting, in season, within the District's school forest pursuant to hunting activities that have been authorized by the School Board.
5. Pursuant to any other exception that is consistent with applicable law and that is approved in advance by a motion of the Board.
6. With respect to firearms:
 - a. Where a firearm is possessed or used by an individual in accordance with the express provisions of a written and Board-approved contract entered into between the District and either the individual or an employer of the individual.
 - b. Where a firearm is possessed by a non-student for use in a program expressly approved, in advance, by the District Administrator or the Board.
 - c. Where the firearm is unloaded and is in the possession of a non-student at least 18 years of age while traversing school grounds for the purpose of gaining access to public or private lands open to hunting, if the entry on school grounds is authorized by school authorities.
 - d. Where an unloaded firearm is legally stored by an adult person, other than a student, in the individual's personal vehicle, and the unloaded firearm is and remains either fully encased and locked within the vehicle, or in a locked firearms rack on said vehicle.
7. With respect to dangerous weapons other than firearms:
 - a. Where a person uses or possesses a weapon, other than a firearm, for a purpose that has been expressly sanctioned in advance by the District (e.g., a building principal gives advance approval for purposes of a specific demonstration or educational presentation).
 - b. Where a person is engaging in military activities, sponsored by the federal or state government, and the person is acting in the discharge of his/her official duties.
 - c. Where an adult person, other than a District official, employee or student drives a motor vehicle in which a dangerous weapon is located onto school premises for a school-sanctioned purpose or for the purpose of delivering or picking up passengers or property; provided that the weapon is neither removed from the vehicle nor used in any manner.

Nothing in this policy is intended to prohibit the possession or use of potentially dangerous objects or substances that are not designed primarily for use as a weapon (e.g., certain equipment and tools), provided that such objects or substances have been issued or authorized by the District, and provided that such objects or substances are possessed and used exclusively for their limited and authorized purpose(s).

Further, it is understood that school employees or other authorized individuals may sometimes have a need to temporarily take possession of a dangerous weapon that is present in a school environment in order to address a violation of law or policy and to protect the health and safety of others. Temporary possession of a weapon under such circumstances shall be considered authorized and shall not be considered a violation of this policy. In such circumstances, the weapon should be stored in a secure manner until it can be safely turned over to law enforcement at the earliest reasonable opportunity.

Definition

As used in this policy, the term “dangerous weapon” includes the following:

1. any firearm, including a starter gun, 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 beebee or pellet-firing gun that expels a projectile through the force of air pressure;
5. any object or device designed as a weapon and capable of producing death or great bodily harm, regardless of whether the weapon is concealed, unconcealed, and/or licensed for concealed carry;
6. any ammunition;
7. any other object, device, or substance which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm; or
8. any other device or object defined as a dangerous weapon by state or federal law.

Additional Employee Responsibilities

If any District employee has reason to believe that an employee, student, visitor, volunteer or other person possesses or has used or stored a weapon in violation of this or any other District policy, that employee is required to report such belief to a supervisor, a building principal or the District Administrator. There will be no retaliation against any employee who, in good faith, reports a violation of this policy or participates in the investigation of such a report.

Employees are responsible for taking reasonable steps, in advance, to ensure that any item in their possession or control is not prohibited by this policy. Employees who have questions about whether an item, object or device is covered by this policy, or whether a particular exception identified in this policy may apply in a specific context should contact their building principal or the district administrator.

School personnel should contact and seek the assistance of law enforcement when addressing situations involving violations of this policy. 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, whether the weapon is concealed or not concealed.

Sanctions for Violations

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 possible prosecution under applicable laws or ordinances.

Any other person violating this policy may be asked to leave and remove the weapon from the premises, activity, or event; may be restricted from accessing District property and activities in the future; and/or may be referred to law enforcement officials for possible prosecution under applicable laws or ordinances.

Notices

Employee handbooks shall include a reference to this policy. To the extent required by law, and as determined to be additionally appropriate by the administration, public notice of the prohibitions established by this policy shall be provided through appropriate signage or other types of notice.

Legal References:

Wisconsin Statutes

<u>Section 118.07</u>	[school safety plans]
<u>Section 120.13(1)</u>	[board authority for rule-making]
<u>Section 120.13(38)</u>	[board authority to permit hunting in the school forest]
<u>Section 175.60</u>	[license to carry a concealed weapon]
<u>Section 941.23</u>	[carrying a concealed weapon]
<u>Section 941.295(1c)(a)</u>	[definition of “electric weapon”]
<u>Section 943.13</u>	[criminal trespass law, includes provisions related to carrying firearms]
<u>Section 948.605</u>	[gun-free schools zones]
<u>Section 948.61</u>	[dangerous weapons other than firearms on school premises]

Federal Laws

<u>18 U.S.C Sec. 921(a)</u>	[federal definition of “firearm” (including destructive devices) that is used within the Gun-Free Schools Act]
<u>18 U.S.C. Sec.922(q)</u>	[federal exceptions to federal prohibition against the possession of a firearm in a school zone; some of which are cross-referenced within section 948.605 of the state statutes]

Cross References:

Policy JFCB – Student Use and Possession of Weapons

Adoption Date: August 28, 2017