

**School Weapons Policy**

**Adopted: 3/1/2005**

**Modified: 6/28/2022**

**Last Review: 6/28/2022**

1 **Purpose**

2 The purpose of this policy is to define the term “weapon” and to identify the consequences for having  
3 weapons on school grounds.

4 **Policy**

5 Minnesota Online High School bans weapons on school grounds. No student or nonstudent, including  
6 adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided  
7 in this policy. The school district will act to enforce this policy and to discipline or take appropriate  
8 action against any student, teacher, administrator, school employee, volunteer, or member of the public  
9 who violates this policy.

10 **Definitions**

11 A. “Weapon”

- 12 1. A “weapon” means any object, device or instrument designed as a weapon or which  
13 through its use is capable of threatening or producing bodily harm or which may be used  
14 to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded;  
15 air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; nunchucks;  
16 throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition;  
17 poisons; chains; arrows; and objects that have been modified to serve as a weapon.
- 18 2. No person shall possess, use or distribute any object, device or instrument having the  
19 appearance of a weapon and such objects, devices or instruments shall be treated as  
20 weapons including, but not limited to, weapons listed above which are broken or non-  
21 functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
- 22 3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts,  
23 combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use  
24 will be treated as the possession and use of a weapon.
- 25 4. Instructional equipment and instructional tools, when properly possessed, used and stored  
26 by students or nonstudents, shall not be considered in violation of the rule against the  
27 possession, use or distribution of weapons. However, when authorized instructional

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28 equipment and tools are used in a potentially dangerous or threatening manner, such  
29 possession and use will be treated as the possession and use of a weapon.

30 B. "Firearm" is defined in Federal Law at 18 U.S.C.A §921 and is (A) any weapon (including a  
31 starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of  
32 an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer;  
33 or (D) any destructive device. The term "destructive device" is defined in Federal Law at 18 U.S.C.A.  
34 §921 and includes, among other things, a bomb, grenade or rocket with a propellant charge of more than  
35 4 ounces. The term "firearm" does not include an antique firearm.

36 C. "School Location" includes any school building or grounds, whether leased, rented, owned or  
37 controlled by the school, locations of school activities or trips, bus stops, school buses or school  
38 vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all  
39 locations, including online locations, where school-related functions are conducted either synchronously  
40 or asynchronously, and anywhere students are under the jurisdiction of Minnesota Online High School.

41 D. "Possession" means to have a weapon on one's person or in an area subject to one's control in a  
42 school location including, but not limited to, immediate vicinity of the person, desks, lockers or vehicles.

## 43 Exceptions

44 A. A student who finds a weapon on the way to school or in a school location, or a student who  
45 discovers that they accidentally have a weapon in their possession, and takes the weapon immediately to  
46 school personnel or immediately notifies a staff or faculty member of the weapon's location shall not be  
47 considered to possess a weapon.

48 B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within  
49 one of the following categories:

- 50 1. active licensed peace officers;
- 51 2. military personnel, or students or nonstudents participating in military training, who are on  
52 duty performing official duties;
- 53 3. persons authorized to carry a pistol under Minn. Stat. §624.714 while in a motor vehicle or  
54 outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it  
55 from, the trunk or rear area of the vehicle;
- 56 4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat. §§  
57 624.714 or 624.715 or other firearms in accordance with §97B.045;
  - 58 a. Section 624.714 specifies procedures and standards for obtaining pistol permits  
59 and penalties for the failure to do so. Section 624.715 defines an exception to the

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- 60 pistol permit requirements for “antique firearms which are carried or possessed as  
61 curiosities or for their historical significance or value.”
- 62 b. Section 97B.045 generally provides that a firearm may not be transported in a  
63 motor vehicle unless it is (1) unloaded and in a gun case without any portion of the  
64 firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in  
65 compliance with §624.714 and §624.715.
- 66 5. persons participating in firearm safety or marksmanship courses or activities for students  
67 or nonstudents conducted on school property;
- 68 6. members of a ceremonial color guard in possession of dangerous weapons, BB guns, or  
69 replica firearms while conducting ceremonies;
- 70 7. persons participating in a gun or knife show held on school property;
- 71 8. persons with written permission of the executive director or designee to possess dangerous  
72 weapons, BB guns, or replica firearms; or

73 **Consequences for Student Weapon Possession/Use/Distribution**

- 74 A. The minimum consequences for students possessing, using or distributing weapons include:
- 75 1. immediate out-of-school suspension or removal from a school-sponsored event;
- 76 2. confiscation of the weapon;
- 77 3. immediate notification of police;
- 78 4. parent or guardian notification; and
- 79 5. expulsion as required by Minnesota Statute §121A.44 which states that a student who  
80 brings a firearm, as defined by federal law, to school will be expelled for at least one year.  
81 The school board may modify this requirement on a case-by-case basis, including  
82 consideration for a lesser discipline.

83 **Consequences for Weapon Possession/Use/Distribution by Nonstudents**

- 84 A. Employees

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1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, 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 Nonstudents**

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. 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, and that district is known, the school district will 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.

**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)  
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)