

## **STUDENT POSSESSION/USE OF WEAPONS**

**443.6**

No District student shall possess or use any destructive device, firearm or other dangerous weapon (as defined in the administrative rule implementing this policy) of any kind at any time:

- in any school or other building/facility owned, occupied or controlled by the District;
- on the grounds of a school or on other premises owned, occupied or controlled by the District (including recreation areas and athletic fields);
- while under the supervision of a school district authority, regardless of the student's location;
- in any District-owned vehicle or on any form of District-provided transportation; and/or
- while participating in or attending any District-sponsored program or activity.

The possession and use of facsimile firearms and/or facsimile dangerous weapons is also prohibited.

The only exception to this policy is the possession and use of a facsimile firearm/weapon in a school-approved activity as authorized by the building principal or designee. 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 officers 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.

Students violating this policy shall be referred to law enforcement officials and be subject to school disciplinary action, up to and including suspension and expulsion, in accordance with established procedures. Referral to law enforcement is not required for violations involving solely a facsimile firearm/weapon where there was no attempt to threaten, harass, intimidate or harm another person.

Students shall be informed of this policy annually through the student handbook and through any other means determined appropriate by the administration.

### **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 weapons]

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 943.13 [criminal trespass law, includes provisions related to carrying firearms]

Section 948.60 [possession of a 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 state law governing suspensions/expulsions for firearms – 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]

**Adopted:** 11/06/95  
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04/26/21