

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: February 16, 2012

FILE SECTOR:

STUDENTS

DATE REVISED: February 19, 2015

POLICY TITLE:

WEAPONS IN SCHOOL

This Policy applies to all students of the Medford Area School District, regardless of age.

Weapons Prohibited

1. No student shall possess, use, store, or transfer or make accessible to another person any weapon while the student is (1) at school or under the supervision of a school district authority, regardless of the student's location; (2) in any building or facility or on grounds or premises owned, occupied or controlled by the District, at any time; (3) in any District-owned vehicle or on any form of District-provided transportation, at any time; and/or (4) participating in or attending any District-sponsored program or activity.
2. No student, while not at school or while not under the supervision of a school authority, shall possess, use, store or transfer or make accessible to another person any weapon in a manner which (1) endangers the property, health or safety of others who are at school or under the supervision of a school authority, or (2) endangers the property, health or safety of any employee or school board member of the school district.
3. No student shall keep or store, or allow any other person to keep or store, a weapon in his/her personal vehicle at any time when the vehicle is located on school premises or other property owned, occupied or controlled by the District.
4. No student shall falsely represent as a weapon anything that, although not actually a weapon, has (or has been given) the appearance of a weapon (e.g., to intimidate or threaten another person).

Exceptions to the Prohibitions against Student Possession of Weapons

The prohibitions on weapons identified in the previous section of this Policy do not apply in the following circumstances:

1. Where state or federal law prohibits a school district from restricting any student's right to possess or use a weapon in a location or at a time otherwise covered by this Policy;
2. Where a weapon, other than a firearm, bomb, explosive or similar destructive device, has been approved by the building principal, in advance, for purposes of a specific demonstration or educational presentation, provided that the weapon shall be maintained in the possession of the principal except during the actual demonstration or presentation or the use of a starter pistol by a responsible adult in connection with school athletics;
3. Where a student possesses and uses a firearm or other hunting weapon and is legally hunting, in season, within the Medford school forest pursuant to hunting activities that have been authorized by the Board; or
4. Pursuant to any other exception that is consistent with applicable law and that is approved in advance by a motion of the School Board.

In addition, it shall not be considered a violation of this Policy for a student to possess or use a potentially dangerous object or substance, which might also be improperly used as a weapon (e.g., certain cutting instruments, equipment, or tools), provided that the object or substance has been authorized or issued by

the District, and provided that such objects are possessed and used exclusively for their limited and authorized purpose(s).

### Definition

As used in this Policy, the term “weapon” includes, but is not necessarily limited to, the following:

1. any firearm, whether loaded or unloaded, assembled or unassembled;
2. any bomb, explosive, or similar destructive device;
3. any poisons or dangerous chemicals, including pepper spray;
4. any beebee or pellet-firing gun that expels a projectile through the force of air pressure or any starter pistol;
5. any ammunition or any electric weapon, as defined in section 941.295(1c)(a) of the state statutes;
6. knives and other cutting instruments;
7. any device designed as a weapon and capable of producing death or great bodily harm;
8. any other object which, in the manner it is used or intended to be used, is calculated or likely to produce significant injury or bodily harm; or
9. any other device or object defined as a weapon by state or federal law.

### Additional Student Responsibilities

Students are responsible for taking reasonable steps, in advance, to ensure that any item in their possession or control is not prohibited by this Policy. Students who have questions about whether an item is covered by this Policy, or whether a particular exception identified in this Policy may apply in a specific context should contact their school principal or the District Administrator.

A student who finds himself or herself inadvertently in possession of a weapon in violation of this Policy shall immediately surrender the weapon to a school staff member. An investigation will occur into the circumstances surrounding the possession and surrender of the weapon, and a decision will be made whether to discipline the student, or not, after a consultation between the Principal and the District Administrator. If the weapon is surrendered before the student is discovered to be in possession of the weapon and before any incident or disturbance occurs involving the weapon, such factors shall weigh in favor of the student.

If any student has reason to believe that any student, staff member, visitor or other person possesses, or has used or stored a weapon in violation of this Policy or any other District policy, the student should immediately report that belief to a teacher, school principal or other responsible adult. Any act of retaliation against a student who, in good faith, has made a report of a violation of this Policy or who participates in the investigation of such a report is prohibited.

### Sanctions for Violations

Any time school officials determine that a student has possessed or used any firearm, bomb, explosive, or similar destructive device while at school or while under the supervision of a school authority, an administrator must refer the student and the incident to law enforcement or another representative of the criminal or juvenile justice system. An administrator must also suspend the student, commence expulsion proceedings, and the Board shall expel the student from school for at least one year. The Board may modify the expulsion requirement identified in this paragraph on a case-by-case basis, provided that any such modification is documented in writing. Where applicable, the District may also

impose sanctions under the school co-curricular code of conduct. The requirements of this paragraph (1) do not apply to a student who is legally hunting in the school forest, as described above in this Policy; and (2) shall be construed and implemented in a manner that is consistent with the requirements of the Individuals with Disabilities Education Act.

Other violations of this Policy will be referred for disciplinary action, up to and including possible expulsion from school. Where applicable, the District may also impose sanctions under the school co-curricular code of conduct. Per federal law, a school administrator shall contact law enforcement in connection with any violation of this Policy that involves a student's possession of any firearm, destructive device or illegal weapon i.e., where the possession of the "weapon" at school may be a violation of federal and state criminal law, such as section 948.60 or 948.61 of the state statutes). School administrators may exercise discretion in determining whether to contact and involve law enforcement in other situations involving a student's violation of this policy (for example, when a student is in possession of an item that, while not illegal, is dangerous and prohibited under this policy.) School administrators may exercise discretion in determining whether to contact and involve law enforcement in a situation involving a student's violation of this Policy, except that law enforcement shall be contacted in connection with any violation of this Policy (1) that involves firearms or any destructive device (as identified in the preceding paragraph); or (2) that may also constitute a criminal offense.

Notices.

Students shall be given notice of the conduct prohibited by this Policy via the Student Handbook.

**CROSS REFERENCE: JFCJA, JFCN, JGE & KGBA**

**LEGAL REFERENCE: 118.07, 118.31, 120.13(1), 120.13(38), 939.22(10), 943.13, 948.60, 948.605, 948.61 Wisconsin Statutes and Federal Gun-Free Schools Act, 18 U.S.C. Sec. 921(a), and Individuals with Disabilities Education Act**