



5221

Weapons Free Schools

Policy 5221

Original Adoption: 01/08/1991 (as Policy 4025)

Effective Date: 03/12/2014

Revision Dates: 03/23/1993, 09/18/2001, 05/27/2008 (all as Policy 4025), 03/11/2014

Review Dates:

I. PURPOSE

The purpose of this policy is to establish the commitment of the Minneapolis Public Schools to provide school environments that are safe for students, staff and the public. Establishing a weapons free school zone is one element of creating that safe environment.

II. GENERAL STATEMENT OF POLICY

- A. The Minneapolis Public Schools Board of Directors is committed to weapons-free schools. The Board has established this policy to address violence and potential violence including weapons possession on district premises. The Board also recognizes that students need the assistance of the adults in their homes, communities and schools to assist in creating weapons-free environments. Cases of students who innocently or unintentionally bring weapons to school shall be given special consideration given the developmental abilities of students to make distinctions and choices regarding weapons carried or found to or at school.
- B. No student shall possess, use, transfer, distribute or manufacture a weapon or ammunition to be used as a weapon or by a weapon when in a school location, unless the possession, use or transfer meets an exception to this general statement established in this policy.
- C. The district shall take disciplinary action and any other appropriate action against any student who violates this policy.

III. EXCEPTIONS

- A. A student who finds a weapon or ammunition on the way to school, or in a school location, or a student who discovers that he or she accidentally or unintentionally has a weapon or ammunition in his or her possession who takes the weapon or ammunition immediately after discovery or arrival at school to the principal's office shall not be considered to be in possession of a weapon or ammunition. If the student believes that it would be impracticable or dangerous to take the weapon or ammunition to the principal's office, the student shall not be considered to possess the weapon or ammunition if:
 - 1. he or she immediately turns the weapon or ammunition over to:
 - a) an administrator, or
 - b) a teacher, or
 - c) other school staff, or
 - d) a head coach, or



2. he or she immediately notifies any of the persons identified in ¶III A.1.a-d, of the location of the weapon or ammunition, or shows one of them the location.
- B. It is not a violation of this policy for a student to possess a dangerous weapon, or replica firearm as part of the student's participation as a ceremonial color guard when such weapon or replica firearm is part of the regular uniform or ceremony of the color guard..
 - C. It is not a violation of this policy to possess, use, distribute, transfer or manufacture appropriate equipment and tools required by a student's course of study or participation in an approved student activity when such equipment and tools are properly possessed, used, transferred, manufactured or stored. However, when authorized instructional and work equipment or 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.

IV. RESPONSIBILITY

- A. It is the responsibility of every student to comply with this policy at every school location.
- B. The principal of every school shall cause notice of this policy to be disseminated to every student enrolled in her or his school.
- C. The Superintendent or Superintendent's designee shall cause such written notices as are permitted by law to be posted at all district facilities.
- D. Every student has an affirmative responsibility to report, upon knowledge, belief or reasonable suspicion the existence or location of any weapon at any district location to a staff person as soon as is practicable. Reports made in good faith shall not subject the reporter to disciplinary action, even if no weapon is actually found.
- E. Every district employee upon notice or report from a student of the possible existence of a weapon at any district location shall notify the principal, the school resource officer and shall follow the school or location emergency plan to assure the safety of students, staff and the public.

V. DISTRICT ACTION

- A. Violation of this policy shall result in discipline of the offending student by:
 1. Consideration for immediate suspension out of school;
 2. Confiscation of the weapon, ammunition, or device used as a weapon;
 3. Immediate notification of school resource officer, and may also include notification of local law enforcement;
 4. Notification of parent or guardian; and



5. Recommendation to the Superintendent for an expulsion of the student from school for at least one year.
- B. Any student who intentionally brings a firearm, as defined by federal law, will be expelled for at least one year. The Board of Directors may modify this requirement on a case-by-case basis
 - C. The Board of Directors authorizes the Superintendent to exercise administrative discretion in determining whether or not, under all the circumstances of the case, the possession, use or distribution of a weapon by a student warrants a course of action other than the minimum consequences specified above. In the event the Superintendent makes findings in the case that a lesser disciplinary action, or no disciplinary action, is warranted, he or she shall make that recommendation to the Board of Directors, including any other appropriate action recommended to be taken. The Superintendent may take into consideration any of the following in making a recommendation for other than expulsion:
 1. The age and understanding of the student and whether or not the student has the understanding and ability to form the requisite intent to bring a firearm to school.
 2. Whether or not the weapon was displayed to other students;
 3. Whether or not the student voluntarily surrendered the weapon or indicated its location to a staff member;
 4. Whether or not the student intentionally concealed the weapon to prevent its discovery by a staff member;
 5. Whether or not the student was cooperative in the investigation of a report of a weapon.
 6. Whether or not the student was under suspension when the weapon was brought to a school location.

Legal References:

18 U.S.C. § 921 (Definition of firearm)
20 U.S.C. §§ 7101 – 7165 (Safe and Drug-Free Schools and Communities Act)
Minn. Stat. § 121A.05 (Referral to Police)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat § 609.66 (Dangerous Weapons)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)

Cross References:

MPS Policy 4021 (Weapons Free Workplace)
MPS Policy 5200 (Behavior Standards and Code of Conduct)
MPS Policy 5631 (Drug Free Schools)
MPS Policy 6680 (Safety, Security and Emergency Management)