

522.9 POSSESSION OR USE OF WEAPONS - STAFF/EMPLOYEES

The Board of Education prohibits staff members from possessing, storing, making, or using a weapon, look-alike weapon or facsimile in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle, without the permission of the Superintendent of Schools/designee.

Nothing in this policy prohibits a staff member or employee with a properly issued permit to carry a concealed weapon from exercising his or her rights consistent with Wisconsin's concealed carry law and the state and federal gun free school zones laws. However, a staff member or employee who is the holder of a concealed carry permit license issued or recognized by the State of Wisconsin may not, by virtue of Wis. Stat. 948.605(2)(b)1r, possess a concealed weapon anywhere in or on school grounds, including parking areas. Further, no staff member or employee may carry a concealed weapon or otherwise store any firearm or ammunition in the passenger compartment of his or her personal vehicle while transporting students for school sponsored events or school-related purposes in his or her own vehicle. This does not apply to the transportation of students related by blood or marriage to the staff member if only such students are being transported.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms (including, but not limited to, firearms as defined in the Federal and State Gun Free School Zone Acts (18 U.S.C. 921(a)(3) and Wis. Stat. 948.605) guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives (subject to the exceptions below), razors with unguarded blades, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and "dangerous weapons" as defined in Wis. Stats. 939.22 (10) and 948.61, or facsimiles thereof.

The Superintendent of Schools/designee is authorized to establish instructional programs on weapons and reporting and dealing with violations of this policy.

Law enforcement will be contacted as soon as possible when it is determined that a weapon is present in violation of this policy where there is any possibility of endangerment.

The Superintendent of Schools/designee may refer a staff member or employee who violates this policy to law enforcement officials. The staff member will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy.

Exceptions to this policy include:

- weapons under the control of law enforcement personnel while on duty;
- cased, unloaded firearms in a locked vehicle driven or parked in any part of school grounds used as a parking facility, and ammunition for such firearms;
- items approved by a principal, Superintendent of Schools/designee or the Board of Education as part of a class, club, or individual presentation under adult supervision, including, but not limited to Hunters' Education courses, if used for the purpose of and in the manner approved

(working firearms, except those protected at all times by a cable or trigger lock, and live ammunition shall never be approved);

- theatrical props used in appropriate settings;
- starter pistols and the “howitzer” used in appropriate sporting events;
- firearms used by official veterans’ groups or similar organizations in connection with patriotic displays or programs such as “presentation of the colors”
- a lockback knife having a blade no longer than 3 inches in length (commonly known as a penknife), a knife lawfully used for food consumption or preparation, or a knife used for a lawful purpose within the scope of the staff member or employee’s employment.
- a device such as a nail gun which uses blank charges used for a lawful purpose within the scope of the staff member or employee’s employment.

Any staff member or employee who has reason to believe that a person has or will violate this policy shall report to the school principal or their supervisor immediately. Failure to report such information may subject the staff member to disciplinary action, up to and including termination. The staff member may also confront the person if the staff member believes the risk of injury to self or others is minimal or if immediate action is necessary to prevent injury to any person.

This policy shall be referenced in employee handbooks. Publication is not a precondition to enforcement of this policy.

LEGAL REF.: 120.13(1), Wis. Stats.
943.13, Wis. Stats.
948.605, Wis. Stats.
948.61, Wis. Stats.
939.22 (10), Wis. Stats.
18 U.S.C. 921(a)(3)
18 U.S.C. 922
20 U.S.C. 7151

CROSS REF.: 443.8 – Weapons On School Premises – Students
832 – Weapons On School Premises – Visitors and Volunteers

APPROVED: September 9, 2013