

LIONSGATE ACADEMY

611 SCHOOL WEAPONS POLICY

Original Adoption Date: 4/15/2014

Revision Date(s): 5/18/2017, 4/14/2020

Review Date(s): 5/10/2017

I. PURPOSE

The purpose of this policy is to establish the commitment of Lionsgate Academy to maintaining a safe school environment for students, staff and the public.

II. GENERAL STATEMENT OF POLICY

- A. No person shall possess, carry, use, keep, store or distribute a dangerous weapon, firearm, or pistol while on school property. Lionsgate Academy reserves the right at any time and at its discretion to search all vehicles owned or leased by Lionsgate Academy and all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon has been brought onto its property or premises in violation of this policy.
- B. Lionsgate Academy will take appropriate action against any person who violates this policy. Appropriate action includes, but is not limited to, ordering the person to leave the school location, notification of the police, and disciplinary action. A school administrator must refer to the police any student who brings a firearm to school unlawfully. The Board of Directors must expel a student for a period of at least one year who is determined to have brought a firearm, as defined by federal law, to school. The Board of Directors may modify this requirement on a case-by-case basis.

III. DEFINITIONS

- A. A "weapon" means any object or device that may be deemed to intimidate, cause harm or fear to others or self. Examples may include, but are not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
- B. "School property" is defined as all buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the Lionsgate Academy's ownership or control. This policy applies to all vehicles owned or leased by Lionsgate Academy and all vehicles that come onto school property.
- C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

IV. EXCEPTIONS

This policy does not apply to:

- A. Staff-supervised physical education activities where equipment is provided by the school for students.
- B. an active licensed peace officer, military personnel, or students or non-students participating in military training, who are on duty performing official duties;
- C. employees that require a pocket knife or other tools to execute the essential duties of their positions (tech, facilities)
- D. security personnel acting within the course and scope of authority granted by the Lionsgate Academy;
- E. a non-student or non-employee authorized to carry a pistol under Minn. Stat. § 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
- F. a non-student or non-employee who keeps or stores in a motor vehicle pistols in accordance with Minn. Stat. §§ 624.714 or 624.715 or other firearms in accordance with § 97B.045.
- G. any student protected under the Pupil Fair Dismissal Act, in which case Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act) shall apply.

LEGAL REFERENCES:

Minn. Stat. § 97B.045 (Transportation of Firearms)

Minn. Stat. § 121A.05 (Referral to Police)

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)

Minn. Stat. § 609.02 (Definitions of Dangerous Weapon and Great Bodily Harm)

Minn. Stat. § 609.605 (Trespass)

Minn. Stat. § 609.66, subd. 1(d) (Dangerous Weapons on School Property)

Minn. Stat. § 609.666 (Firearms)

Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)

18 U.S.C. § 921 (Definition of Firearm)

18 U.S.C. § 930(g)(2) (*Definition of Dangerous Weapon*)