

Adopted: 9/10/2001
Revised: 6/17/2008

Saint Paul Public Schools Policy

903.00

903.00 DANGEROUS WEAPONS, FIREARMS

1. No person shall possess, carry, use, keep, store or distribute a dangerous weapon, firearm, or pistol when in a school location. The school district 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.
2. A school administrator must refer to the police any student who brings a firearm to school unlawfully. The school board 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 school board may modify this requirement on a case-by-case basis.

DEFINITIONS

1. "Dangerous weapon" means
 - Any firearm, whether loaded or unloaded
 - Any device or instrument designed as a weapon and capable of producing death or great bodily
 - Any device modified so that it may be used as a weapon and capable of producing death or great bodily harm
 - Any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm
 - Any fire that is used to produce death or great bodily harm
 - Any replica firearm, BB gun, or pellet gun.
2. A "firearm" includes a device designed to be used as a weapon, from which is expelled a projectile by the force of explosion or force of combustion.
3. "School Location" includes any school district building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
4. "Possess" includes having a dangerous weapon on one's person or in an area subject to one's control in a school location.

EXCEPTIONS

1. This policy does not apply to:
 - An active licensed peace officer
 - Security personnel acting within the course and scope of authority granted by the School District

- A person with written permission of the Superintendent (designee).
- 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; or
- 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.

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)
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)
18 U.S.C. § 921 (Definition of Firearm)
18 U.S.C. § 930(g)(2) (Definition of Dangerous Weapon)
Saint Paul Code §§ 225.01 and 225.03

CROSS REFERENCES: