

WEAPONS ON SCHOOL PREMISES

Policy 832

Waukegan Community School District

Page 1 of 3

(This sample policy defines prohibited dangerous weapons by reference to state law and allows weapons possession and use on school premises under certain specified conditions. Especially as applied to students, districts may find that additional provisions in separate policies or rules may be helpful to, for example, clarify expectations regarding possession of certain knives, look-alike weapons, etc., not all of which would necessarily be covered under the state-law definition of "dangerous weapon.")

No person, including someone with a state-issued concealed carry license, shall use or possess a firearm, whether loaded or unloaded, any destructive device, or other dangerous weapon (as defined under [section 948.61](#) of the state statutes or as defined as a weapon in this policy below) in school buildings and other buildings owned, occupied or controlled by the school district, on school premises, in school-provided transportation, or at any school-supervised and school-controlled activity, except as otherwise specifically authorized in this policy.

A weapon is any object that by its design and/or use can cause bodily injury or property damage, or any component of such an object. This includes, but is not limited to guns, including BB and pellet firing guns, firearm silencers, knives, razors, karate sticks, nunchaku, metal knuckles, chains, pepper spray/mace and other similar propellants, and similar items or destructive devices such as explosives or fire bombs. A weapon is also defined as any facsimile or look-a-like of a weapon or firearm such as a toy, starter pistol, or other object that can be perceived as an actual firearm. A weapon also may include physical actions or oral or written statements, which lead others to reasonably believe, or are calculated to induce a belief, that a weapon is present.

Formatted: Not Highlight

The following are exceptions to the policy prohibition:

- This prohibition does not apply where state law prohibits a school district from restricting any individual's right to possess a firearm or other weapon in a location covered by this policy ~~(e.g., a law enforcement officer who is acting in his/her official capacity and who possesses a firearm or other weapon that was issued and approved by the officer's employing agency; certain individuals 21 years of age or older who are licensed to carry a concealed weapon who have stored a licensed handgun that is unloaded and encased in their motor vehicle parked on school grounds).~~
- Any qualified current law enforcement officer who is off duty or any qualified former law enforcement officer may possess a properly licensed firearm provided that the individual meets all applicable conditions specified in the state and federal gun-free school zone laws. Include if desired: "Although permitted, the Board generally discourages the intentional presence of such firearms, and strongly encourages such individuals to notify the District Administrator, building principal, or other activity supervisor of their possession of any such firearm in order to avoid misunderstandings should the presence of the weapon be identified by another person."²

Formatted: Strikethrough

Formatted: Font: Not Italic, No underline

Formatted: Highlight

¹ The highlighted language is from your current policy. Your current policy covers weapons that may not meet the definition of dangerous weapons in Wisconsin Legislature: 939.22(10). The second sentence covers some dangerous weapons covered in the first paragraph and also cover facsimile weapons and physical actions not covered by the first paragraph.

² This highlighted language is optional.

WEAPONS ON SCHOOL PREMISES

Policy 832

Wauwaukee Community School District

Page 2 of 3

- The building principal may allow a weapon on school premises for purposes of demonstration or educational presentations. This approval must be in writing and granted prior to the weapon being brought to the school. The weapon shall be maintained in the possession of the principal except during the actual demonstration or presentation.
- Firearms or other weapons used for hunting may be allowed on school property for hunter safety classes, but only during non-school hours and after approval, in writing, from the District Administrator. The person(s) conducting the hunter safety class will assume responsibility for the safe handling and care of the firearms/weapons, and see to it that all firearms/weapons are removed from the premises promptly after the class.

~~Hunting may be allowed in the school forest when school or rental groups are not using the property and with written permission from the District Administrator. Hunting for a wild animal will not be permitted in the school forest when there is not an open season for that animal on land adjacent to the school forest. All persons authorized to hunt in the school forest shall abide by state and federal laws while hunting on school forest property including, without limitation, laws applicable to firearms and hunting, and shall abide by all District rules regarding the use of the school forest.³~~

Formatted: Strikethrough, Highlight

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Indent: Left: 0"

Formatted: Tab stops: 0.25", Left

Any student who possesses a firearm or destructive device in violation of this policy shall be suspended from school, referred for an expulsion hearing and expelled from school for not less than one year. The School Board may modify this expulsion requirement on a case-by-case basis. Students possessing other weapons in violation of this or any other policy or rule shall be subject to appropriate school disciplinary action, up to and including suspension and expulsion from school. A parent or guardian with access to student records will be notified of student weapons violations in all cases. When required by federal law, a law enforcement or juvenile justice referral shall also be made for any student who violates this policy.

Employees violating this policy shall be disciplined in accordance with employee policies, agreements and handbooks and referred to law enforcement officials for prosecution.

Any other person violating this policy shall be referred to law enforcement officials for prosecution.

The District Administrator or designee shall determine the appropriate means of informing students, employees and the public of this policy, including any specific notice(s) that are required under applicable law.

Legal References:

Wisconsin Statutes

Section 118.07	[school safety plans]
Section 118.31	[use of reasonable force to obtain weapon]
Section 120.13(1)(bm)	[state law suspension mandate for possession of a firearm]
Section 120.13(1)(c)2m	[state law expulsion mandate for possession of a firearm]
Section 120.13(1)(g)	[board authority to modify expulsion mandate on case-by-case basis]

³~~I am guessing you do not have a school forest or may not allow hunting in a school forest — you can delete this paragraph if it is not relevant.~~

WEAPONS ON SCHOOL PREMISES

Policy 832

Waukegan Community School District

Page 3 of 3

- [Section 120.13\(38\)](#) [board authority to permit hunting in the school forest]
- [Section 175.32](#) [mandatory reporting of threats of school violence]
- [Section 175.60](#) [license to carry a concealed weapon]
- [Section 941.23](#) [carrying a concealed weapon]
- [Section 943.13](#) [criminal trespass law, includes provisions related to carrying firearms]
- [Section 948.60](#) [possession of dangerous weapon under 18 years of age]
- [Section 948.605](#) [gun-free schools zones]
- [Section 948.61](#) [dangerous weapons other than firearms on school premises]

Federal Laws

- [Gun-Free Schools Act](#) [student possession of firearms prohibited; student referral to law enforcement/juvenile justice system required in policy]
- [18 U.S.C Sec. 921\(a\)](#) [federal definition of "firearm" (including destructive devices) that is used within the Gun-Free Schools Act and within section 120.13(1)(c)(2m)]
- [Individuals with Disabilities Education Act](#) [programs and services for students with disabilities; includes authority to order change of placement for weapons possession]

Cross References:

WASB PRG 832 Sample Policy 2

- [447.3, Student Suspension](#)
- [447.4, Student Expulsions](#)
- [447.5, Discipline of Students with Disabilities](#)
- [723-Rule, Emergency Plan Procedures](#)

Adoption Date: [March 1994](#)
[September 1994](#)

Revised: [12/11/95](#)
[March 2002](#)
[July 2006](#)
[July 2012](#)
[December 2023](#)

- Formatted:** No underline
- Formatted:** Line spacing: single
- Formatted:** Font: 10 pt, English (United States)
- Formatted:** No underline
- Formatted:** Line spacing: single
- Formatted:** Font: 10 pt, Not Bold, Font color: Black, English (United States)
- Formatted:** Font: 10 pt, Not Bold, Font color: Black, English (United States)
- Formatted:** Line spacing: single
- Formatted:** Font: 10 pt, Not Bold, Font color: Black, English (United States)
- Formatted:** Indent: Left: 1.5", Line spacing: single
- Formatted:** Indent: Left: 1.5"
- Formatted:** Font: Not Italic