

Adopted: 8-17-2016

Revised: 11.16.2022

North Metro Flex Academy
POLICY No. 5.5.9
WEAPONS ON SCHOOL GROUNDS

I. PURPOSE

The purpose of this policy is to clearly define the term “weapon” and to identify the consequences for having weapons on school grounds.

II. POLICY STATEMENT

North Metro Flex Academy bans weapons on school grounds. No student or nonstudent, including adults and visitors, may possess a weapon on school grounds except as provided in this policy.

III. DEFINITIONS

“Weapon” means any object capable of threatening or producing bodily harm including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; knives; blades; explosives; fireworks; mace and other propellants; stun guns; poisons; chains; arrows; and objects that have been modified to serve as a weapon. “Weapon” also includes look-alike guns, toy guns, and other objects which have the appearance of a weapon. “Weapon” also includes objects designed for other purposes (e.g., pencils, scissors, etc.) which are used to inflict or threaten to inflict bodily harm. The term “school grounds” encompasses all school buildings and grounds, as well as any location where school-related activities occur including, but not limited to, bus stops, school buses and vehicles, and field trip locations when school activities are being held there. To “possess” means to have a weapon on one’s person or in an area subject to one’s control including, but not limited to, immediate vicinity of the person, desks, lockers, or vehicles.

IV. PROHIBITION AND CONSEQUENCES

A. Students. It is a violation of this policy for a student to possess a weapon on school grounds. A student who possesses a weapon on school grounds will be subject to appropriate discipline up to and including expulsion. The student’s parents will be notified of the violation and the weapon will be confiscated. Local law enforcement may be notified, as appropriate.

1. Special rules for possession of firearms by students. As required by Minn. Stat. § 121A.05, school officials will, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully. Additionally, as required by Minn. Stat. § 121A.44, the board must expel for a period of at least one year a student who is determined to have brought a firearm to school, except the board may modify this expulsion requirement on a case-by-case basis. The term “firearm” has the meaning given in federal law at 18 U.S.C.A. § 921 and means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. The term “destructive device” has the meaning given in federal law at 18 U.S.C.A. § 921 and includes, among other things, a bomb, grenade, or rocket with a propellant charge of more than 4 ounces. The term “firearm” does not include an antique firearm.
- B. Employees. It is a violation of this policy for a school employee to possess a weapon on school grounds. A school employee who possesses a weapon on school grounds will be subject to appropriate discipline up to and including discharge. Local law enforcement may be notified, as appropriate.
- C. Other Persons. Except as provided in paragraph V below, it is also a violation of this policy for any other person (i.e., non-student, non-employee) to possess a weapon on school grounds. A person who possesses a weapon on school grounds will be asked to safely leave school grounds with the weapon. Local law enforcement may be called to escort the person from school grounds, as appropriate. The person may be barred from future entry to school locations, as appropriate. In addition, if the person is a student in another school or school district, school administrators may notify that school or school district of the policy violation.

V. EXCEPTIONS

- A. Policy exceptions. It is not a violation of this policy for the following persons to lawfully possess a weapon on school grounds:
 1. Active licensed peace officers;
 2. Military personnel or students participating in military training, who are on-duty, performing official duties;
 3. Persons (other than students and employees of NMFA) authorized to carry a pistol under section 624.714 while in a motor vehicle or outside of a motor vehicle to directly place a firearm in, or retrieve it from, the trunk or rear area of the vehicle;

4. Persons (other than students and employees of NMFA) who keep or store in a motor vehicle pistols in accordance with section 624.714 or 624.715 or other firearms in accordance with section 97B.045;
 5. Firearm safety or marksmanship courses or activities conducted on school property;
 6. Possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
 7. A gun or knife show held on school property;
 8. Possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school;
 9. Persons (other than students and employees of NMFA) who are on unimproved property owned or leased by the school unless the person knows that a student is currently present on the land for a school-related activity.
 10. Notwithstanding section 471.634, NMFA may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with this subdivision.
- B. Application of policy to school parking lot or parking facility. ~~NOTE:~~ Under Minn. Stat. §609.66, subd. 1d, a school may not prohibit the “lawful” carrying or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carrying or possession of a firearm in a school parking lot or parking facility is specifically limited to non-student and non-employee permit-holders authorized under Minn. Stat. § 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle.

Legal References: Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. §121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. §121A.05 (Referral to Police)
Minn. Stat. §609.66 (Dangerous Weapons)
Minn. Stat. §609.605 (Trespass)
Minn. Stat. §609.02, subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. §97B.045 (Transportation of 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)