

SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 443.7

DANGEROUS WEAPONS AND/OR LOOK-ALIKE WEAPONS ON SCHOOL PROPERTY

Irresponsible use and unwarranted possession of dangerous weapons or look-alike weapons threatens the health, safety and welfare of all students and staff.

No person shall possess a dangerous weapon or look-alike weapon on school property, on school buses, or at any school related event. This prohibition does not apply to:

1. Persons who use a dangerous weapon or look-alike weapon solely for school-sanctioned purposes (e.g. phy. ed. class, forensics, etc.) (NOTE: such weapons may not be transported to or from school on school buses, nor stored in school lockers). EXCEPTION: encased compound bow or recurve bow (unstrung) will be allowed on a bus if it is to be used for a school function.
2. Military personnel who are armed in the line of duty.
3. Law enforcement officers discharging their official duties.

State Statute (939.22) defines a "dangerous weapon" as meaning any firearm whether loaded or unloaded; any device designed as a weapon and capable of producing death or bodily harm; any electric weapon, as defined in s.941.295(4); or any other device or instrument which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

A look-alike weapon is defined as a toy gun, water gun, a non-working replica of a weapon, cap gun, popper, war souvenir, or any other object which could reasonably be mistaken for an actual weapon regardless of whether it is manufactured for that purpose.

Possessing a "dangerous weapon" or "look-alike weapon" with or without intent to threaten or cause bodily harm to others or to cause property damage will be considered a violation of district policy. Parents/guardians of any student found in violation will be notified, and depending upon the severity of each individual incident, the student could be subject to suspension and/or expulsion from school. Students found transporting a "dangerous weapon" or "look-alike weapon" on a district operated bus or vehicle will immediately be suspended from riding that bus or vehicle for three (3) days.

Any person in violation of this policy will be reported to the criminal justice or juvenile delinquency system and be subject to penalties outlined under state laws; 948.60, 948.605, and 948.61.

Gun Free Schools Act

The School District of Waupaca shall expel from school for a period of not less than one year, a student who is determined to have brought a weapon to school.

For the purposes of the GFSA, a "weapon" means a firearm as defined in Section 921 of Title 18 of the United States Code.

According to Section 921, the following are included within the definition:

- any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
- the frame or receiver of any weapon described above
- any firearm muffler or firearm silencer
- any explosive, incendiary, or poison gas
 - 1) bomb
 - 2) grenade
 - 3) rocket having a propellant charge of more than 4 oz.
 - 4) missile having an explosive or incendiary charge of more than one-quarter ounce
 - 5) mine, or
 - 6) similar device
- any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore or more than one-half inch in diameter
- any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled

According to Section 921, the following are not included in the definition:

- an antique firearm
- a rifle which the owner intends to use solely for sporting, recreational, or cultural purposes
- any device which is neither designed or redesigned for use as a weapon

- any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device
- surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10

In addition, we have been advised by the Bureau of Alcohol, Tobacco, and Firearms that Class-C common fireworks are not included in the definition of a weapon.

The School Board may modify the expulsion requirement on a case by case basis for IDEA and Section 504 students in order to be consistent with IDEA and Section 504 legislation.

ADOPTED:081192

REVISED: 110894, 050995

REVIEWED:

LEGAL REFERENCE: 948.60, 939.22, 941.295(4), 948.605 and 948.61;

Section 921 of Title 18, US Code 504; IDEA

CONTRACT REFERENCE: Chapter 48 Wis. Childrens Code

CROSS REFERENCE: Personnel and School-Community Relations

The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.