

**SERIES 400  
STUDENTS**

443.81

**POSSESSION OR USE OF WEAPONS**

It is the policy of Marshall Public Schools that no one shall possess or use a dangerous weapon or look-alike weapon in school buildings, on school grounds, in school vehicles or at school-sponsored activities except at otherwise specifically provided. According to state law, any person who knowingly possesses or goes armed with a dangerous weapon on school premises is guilty of a misdemeanor or a felony, depending upon the seriousness of the offense. A minor who violates this law is subjected to the provisions outlined in Chapter 48 of the state statutes, unless jurisdiction is waived. Students in the Marshall School District must be aware of the fact that such acts of misconduct will not be tolerated.

A dangerous weapon or look-alike weapon is defined in state statutes as a gun, knife, razor, martial arts equipment, metal buckle or any other object which, by the manner in which it is used or intended to be used, is capable of inflicting bodily harm or could pretend to be capable of inflicting bodily harm. Marshall Public Schools include the use of pepper spray, and/or any other chemical defense item as part of this policy.

Law enforcement officers and the district administrator, or his/her designee, shall be contacted as soon as possible, if there is time, in a given weapons situation and if there is not an immediate threat to safety. If there is not time, or the situation warrants immediate action, the school staff should attempt to confiscate the weapon. The building principal will also report confiscation of weapons to the police.

A dangerous weapon(s) taken from a student will be reported to the student's parents/guardians. Disciplinary measures taken will be the responsibility of the building principal and will include suspension, referral to law enforcement authorities, and referral for expulsion. A pre-expulsion conference will be held by the district administrator and a recommendation for expulsion will be presented to the Board of Education if the facts in the situation indicate that the health and safety of students or faculty have been endangered.

The district may place a child with a disability who brings a firearm to school in an interim alternative educational setting before determining whether the behavior of bringing a firearm to school was a manifestation of the child's disability. However, the child's placement cannot be changed until the interim alternative educational setting is determined by the individuals described in s. PI 11.05(2)(b), Wis. Admin. Code.

The following are three exceptions to this policy:

1. Weapons under the control of law enforcement personnel are permitted;
2. Weapons that are registered and handled in a legal manner for the purpose of education may be authorized by the principal; and
3. Weapons properly registered and handled during the community use of school facilities may be permitted.

Legal References: Sections 941.235 Wisconsin Statutes  
948.60  
948.605  
948.61

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