

REVISED POLICY - VOL. 26, NO. 2

POSSESSION OF FIREARMS AND WEAPONS BY VISITORS

Application of this Policy

This policy applies to "visitors" meaning persons who come onto property or a vehicle owned by the Corporation or used by the Corporation for school purposes. The term includes members of the general public, students enrolled in other schools or school corporations, and employees of entities providing services to the Corporation, but does not include Corporation employees covered by **Policy 1617**, Policy 3217, or Policy 4217 or currently enrolled students **covered by Policy 5772**.

Possession of a "Weapon" other than a "Firearm" by a Visitor

~~The Board of School Trustees prohibits visitors from possessing, storing, making, or using a weapon other than a firearm in any setting that is under the control or supervision of the Corporation staff for the purpose of activities approved and authorized by the Corporation including, but not limited to, property leased, owned, or contracted for by the Board for, a school event, or in a vehicle that is owned, leased, or contracted for use by the Board. This prohibition does not apply to weapons under the control of a law enforcement officer.~~ **The Board prohibits visitors from possessing, storing, making, or using a weapon other than a firearm in any setting that is under the control and supervision of the Corporation for the purpose of school activities approved and authorized by the Corporation including, but not limited to, property leased, owned, or contracted for by the Corporation, a school-sponsored event, or in a Corporation vehicle. This prohibition does not apply to weapons under the control of a law enforcement officer.**

~~As used in this policy, "weapon" means an object other than a firearm which, in the manner in which it is used, intended to be used, or represented by the person possessing the object, is capable of inflicting serious bodily harm or property damage, or endangering the health or safety of persons. As used in this policy, the term includes but is not limited to a stun gun, an air and gas powered weapon that is capable of discharging a projectile, a knife, razor, club, electric weapon, chemical weapon, metallic knuckles, a martial arts weapon, ammunition, and destructive devices (bomb, incendiary device, grenade, Molotov cocktail, or a rocket with a propellant charge of more than four (4) ounces).~~ The term "weapon" means an object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, tasers, handguns, stun guns, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, chemical weapons, metallic knuckles, martial arts weapons, ammunition, and destructive devices (bomb, incendiary device, grenade, Molotov cocktail, or rocket, with a propellant charge of more than four (4) ounces, etc.). A "knife" is defined as "an instrument that: 1) consists of a sharp edge or sharp pointed blade capable of inflicting cutting, stabbing, or tearing wounds; and 2) is intended to be used as a weapon." I.C. 35-47-5-2.5(a)

~~As used in this policy, "knife" means an instrument that consists of a sharp edge or sharp pointed blade capable of inflicting cutting, stabbing, or tearing wounds and is intended to be used as a weapon.~~

Possession of a "Firearm" by a Visitor

~~The possession of a firearm in or on school property, in or on property that is being used by a school for a school function, or on a school bus is a Class D (Level 6) felony (I.C. 35-47-9-2) under Indiana law. As used in this policy and as defined by Indiana law, "firearm" means any weapon that is capable of expelling, designed to expel, or that may readily be converted to expel a projectile by means of an explosion. Possession includes storing the firearm in a personal vehicle while on school property. This Statute applies to all persons other than law enforcement officers and school resource officers.~~

~~(-) and persons authorized by the Board to carry a firearm in or on school property.~~

~~This Statute applies to persons who have a personal protection permit to carry a firearm, but does not apply to a person who may legally possess a firearm and whose possession of a firearm on school property is limited to possession of the firearm in a motor vehicle that is being operated by the person to transport another person to or from a school or a school function.~~

Generally, the possession of a firearm in or on school property, in or on property that is being used by a school for a school function, or on a school bus is a felony (I.C. 35-47-9-2) and is prohibited by Board policy. As used in this policy and as defined by Indiana law, "firearm" means any weapon that is capable of expelling, designed to expel, or that may readily be converted to expel a projectile by means of an explosion. However, State law permits a person who may legally possess a firearm to maintain that firearm if it is locked in the person's trunk, kept in the glove compartment of the person's locked vehicle, or stored out of plain sight in the person's locked vehicle. This exception does not apply to students unless it is a high school student who is a member of a shooting sports team and the principal has approved the student keeping a firearm concealed in the student's motor vehicle on days the student is competing or practicing as a member of a shooting sports team. This exception also does not apply to former students if the person is no longer enrolled in school due to a disciplinary action within the previous twenty-four (24) months.

BOARD OF SCHOOL TRUSTEES
_____ SCHOOL CORPORATION

PROPERTY
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Reporting Violations of this Policy

The ~~Superintendent~~**Executive Director** will report a visitor who violates this policy to law enforcement officials and is authorized to take any steps necessary to exclude the visitor from Corporation property and Corporation sponsored events.

~~This policy shall not be applied in the following circumstances if approved by the principal of the school in which the possession takes place:~~**If authorized by the Board, exceptions will be permitted for:**

- (X) ~~items used~~**items approved by a principal** as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved; (Working firearms and ammunition shall never be approved.)
- (-) ~~theatrical props used in appropriate settings;~~
- (-) ~~starter pistols used in appropriate school related sporting events.~~

I.C. 34-28-7-2; ~~prohibition of local ordinance and policies regarding firearms~~

I.C. 35-47-1-5

I.C. 35-47-5-2.5; ~~"knife" defined and possession of "knife" on school property~~

I.C. 35-47-9;

20 U.S.C. 7151 ~~possession of "firearm" on school property/bus~~

~~I.C. 35-47-1-5; definition of "firearm"~~

~~18 U.S.C. 922 et seq. Federal Gun Free Schools Zone Act as re-enacted in 1996~~

~~following the US Supreme Court decision U.S. v. Lopez, 514 US 549~~