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Statement of.....

Policy and Responsibility

SUBJECT: POSSESSION OR USE OF WEAPONS OR OTHER DANGEROUS MATERIALS BY EMPLOYEES

1. In order to maintain a safe workplace, the Board prohibits violence, including threats of violence, on district property. Specifically, no district employee, no student, nor any other person may possess a weapon or other item/material dangerous to persons or property on or about school premises or other district property or in conjunction with any school activity unless specifically authorized by law.
2. Exceptions: Exceptions to Section 1. include:
 - a. Law enforcement officers.
 - b. Dangerous items/materials used for authorized purposes in connection with a lawful or approved activity and is in the possession of the person(s) responsible for its possession or use (e.g., chemicals for a chemistry class, or knives for a Family & Consumer Sciences class).
3. Enforcement of Policy: Employees found to be in violation of this policy shall be subject to disciplinary action which may include termination of employment.
4. Concealed Weapons: Utah Code 53-5-704 provides a qualified person the opportunity to receive a permit to carry a concealed weapon for lawful self-defense. Utah Code 76-10-501 defines a dangerous concealed weapon as one that is “covered, hidden, or secreted in a manner that the public would not be aware of its presence and is readily available for immediate use.” The Murray City School District does not allow, give permission for or otherwise condone any person’s decision to carry, use or threaten the use of a weapon. Any and all demands, liabilities, claims, damages, actions, or proceedings in law or equity, including attorney’s fees and costs of suit, relating to or arising out of a person’s decision to carry, use or threaten the use of a weapon will be the sole responsibility of that person without any recourse to or liability protection from or through the District.
 - a. District employees who obtain a concealed weapons permit do so in their own individual capacities.
 - b. With the exception of police officers, an employee’s decision to carry, use or threaten the use of a weapon is unequivocally outside of the scope of the employee’s employment. Any and all demands, liabilities, claims,

damages, actions, or proceedings in law or equity, including attorney's fees and costs of suit, relating to or arising out of an employee's decision to carry, use or threaten the use of a weapon will be the sole responsibility of the employee without any recourse to or liability protection from or through the District.

- c. A concealed weapon must be carried on one's person.
- d. Any employee who carries a concealed weapon may not use district property to cover, hide, or secret a dangerous weapon.
- e. Any use of a concealed weapon is outside the scope of employment, is contrary to the purposes of employment by the district, and is done solely in the employee's personal capacity, not as an employee of the district.
- f. An employee may not discuss the fact that he/she is carrying a concealed weapon or holds a permit to do so while the employee is acting in his/her official capacity, during school hours, or at any district/school activity or event when students are present. This does not preclude an employee responding in an appropriate manner to questions asked of him/her by an administrator or supervisor regarding whether or not the employee holds a permit.
- g. An employee's rights relating to freedom of speech do not include discussion regarding an employee's carrying of a firearm or holding a permit to do so while the employee is acting in the employee's official capacity or during school hours or activities when students are present. Such discussion constitutes Improper Conduct. The foregoing notwithstanding, an employee may respond in an appropriate and restrained manner to questions regarding whether or not the employee holds a permit.