

1 **Bainville School District**

2  
3 **THE BOARD OF TRUSTEES**

1705

4  
5 Possession of Firearms/Weapons on School District Property

6  
7 The Gun-Free School Zone Act of 1995 prohibits any individual from knowingly possessing a firearm at  
8 a place that the individual knows, or has reasonable cause to believe, is a “school zone”. The term  
9 “school zone” means (a) in, or on the grounds of, a public, parochial or private school; or (b) within a  
10 distance of 1,000 feet from the grounds of a public, parochial or private school.  
11

12 Also, for the purposes of this policy, the term “firearm” means (A) any weapon (including a starter gun)  
13 which will or is designed to or may readily be converted to expel a projectile by the action of an  
14 explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or  
15 (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm  
16 pursuant to 18 U.S.C. 921 (16).  
17

18 Montana Code Annotated 45-8-361 (3) (b) states: “the trustees of a district may grant persons and entities  
19 advance permission to possess, carry, or store a weapon in a school building.” A “weapon” as defined in  
20 45-8-361 (5) (b), MCA means any type of firearm.  
21

22 The District Administrator will contact the local city or county governmental agency to see if there are  
23 any prohibitions allowing any individual or entities the right to possess/carry or store a weapon in a public  
24 building.  
25

26 The Bainville School District Board of Trustees, through this policy, may grant persons and entities  
27 advanced permission to possess/carry, or store a weapon in a school building for purposes of:

- 28  education  
29  hunter safety  
30  school safety  
31

32  Bainville School District prohibits individuals from possessing or carrying firearms on school district  
33 property. This prohibition is adopted in accordance with the Gun-Free School Zone Act and Montana  
34 Code Section 45-8-361.  
35

36 An individual or entity wishing to possess/carry or store a weapon in any school building must complete  
37 and submit the Bainville School District Weapon Application form and attach all required documentation.  
38 Required documentation will include, but is not limited to, documentation of successful completion of  
39 weapon training, satisfactory fingerprint and name-based criminal background check results, and  
40 currently held concealed weapon permit that is accepted in accordance with Montana law and regulation.  
41 A completed application will serve as the written request to be placed on a school board meeting agenda  
42 in accordance with board policy 1420.  
43

44 The application and all supporting documents are considered public records. The Board will comply with  
45 the Montana Open Meeting Laws when considering the application.  
46

47 The length of the permission granted will be set by the Board of Trustees and will only be renewed by the  
48 vote of the Board of Trustees. There is no on-going expectation for renewal of permission. The  
49 permission granted may be revoked by the Board of Trustees at any time.  
50

1 Cross Reference: Policy 1420 School Board Meeting Procedure  
2  
3 Legal Reference: § 20-6-501, MCA Definition of various schools  
4 § 45-8-351 (2), MCA Restriction on local government  
5 regulation of firearms  
6 § 45-8-361 (3)(b), MCA Possession or allowing possession of a  
7 weapon in school building  
8 § 45-8-361 (5)(b), MCA Definitions  
9 18 U.S.C. § 921-922 Gun-Free School Zone Act of 1990  
10 Policy History:  
11 Adopted on: 2/12/2020  
12 Reviewed on:  
13 Revised on: