

Procedure - Firearms

Purpose of These Procedures and General Principles

These procedures have been established by the Superintendent and published pursuant to Board Policy 6515 to explain the process for all identified security personnel for the carrying of firearms and use of force.

Definitions

NECESSARY: Means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to affect the lawful purpose intended.

DEADLY FORCE: Means the intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury.

SCHOOL PROPERTY: All property owned and operated by the Kettle Falls School District may also include, by definition, school activities sponsored by the Kettle Falls School District and held off-campus in a neutral location. Any school activities not on actual Kettle Falls School District-owned property does not legally cover armed staff. Any armed security activity would need a reciprocity agreement from the Superintendent of the school district that staff member would be visiting.

PHYSICAL FORCE: Intentional application of force through the use of physical contact. This includes counter joints, hitting, kicking, and the use of pepper spray/oleoresin capsicum (OC), or any other use of force that results in injury or complaint of injury. This does not include routine handcuffing and escort techniques, not amounting to the conditions above.

BODILY/PHYSICAL INJURY/HARM: Physical pain or injury or an impairment of physical condition.

SUBSTANTIAL BODILY HARM: Bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss, impairment of the function of any bodily part or organ, or causes a fracture of any bodily part.

GREAT BODILY HARM: Bodily injury which creates the probability of death or causes significant permanent disfiguration, loss, or impairment of any part of an organ.

DEADLY WEAPON: Any explosive, firearm (loaded or unloaded), any other instrument, device, article, or substance, including vehicles, which under its use, is readily capable of causing death or substantial bodily harm.

Persons and Qualifications

All persons employed as a School Safety Officer or other school personnel authorized by the School Board to engage in school security activities that carry firearms, and other lethal or less-than-lethal weapons shall undergo an extensive background check, including fingerprinting. The employee shall have in his/her possession at the time of carrying a firearm on school property a valid Washington State Concealed Pistol License issued in the name of the person carrying the firearm. The Kettle Falls School District will not be responsible for the cost of the Concealed Pistol License fee or renewal fee.

Retired or former law enforcement personnel who have been hired by the Kettle Falls School District, as part of their job function, will be carrying a firearm, shall be in possession of a Retired Commission Card issued by the State of Washington certified municipal law enforcement agency, sheriff's office or the state patrol. In lieu of a Retired Commission Card, a former or retired law enforcement officer must possess a valid and current Concealed Pistol License issued by a municipal police department or sheriff's office in the State of Washington or be eligible to obtain a license. A letter of agreement from the retired law enforcement officer's former agency police chief or sheriff may be required.

Any school personnel without former law enforcement experience hired by the Kettle Falls School District who will be engaged in school security activities must qualify for and possess a Concealed Pistol License before performing job duties that require carrying a firearm.

Reserve law enforcement officers or deputies with a limited commission card and in good standing with their law enforcement agency may be employed by or used to provide security services in the Kettle Falls School District. This service shall require a letter of agreement or memorandum of understanding from their respective agency.

Use of Force

The Kettle Falls School District recognizes that school personnel, especially those engaged in school security activities, may be required to exercise control to restrain persons who pose harm to themselves or others, to quell disturbances, or for protective custody detainment. In most circumstances, the decision to use physical force to gain compliance will follow verbal persuasion, advisement, or warning.

This policy is intended to guide School Safety Officers, or other authorized school personnel performing school security activities, in their decision to use reasonable force and consider alternative methods in the application of the force. The reasonableness of the force applied shall be evaluated by the employee against the facts and collective knowledge available to the employee at the time force is used.

When Force May Be Used

Authorized personnel may use reasonable physical force when necessary to defend against an attack, restrain, remove, or disarm persons who present a threat of harm to themselves or others, property damage or theft, or who disrupt school activities.

Physical force may be necessary only after attempting other means of defense, restraint, removal, or disarmament that were ineffective or would likely be ineffective against the facts and collective knowledge available to the employee at the time force is used.

In determining whether the use of physical force is reasonable and necessary, all circumstances shall be considered, including without limitation: the person's age, physical size and strength, sex, maturity, previous history, the seriousness of the problem, the threat posed by the person, and the availability and use of other means of defense, restraint, removal, or disarmament not involving the use of physical force.

Examples of force that could be reasonable and necessary include, but are not limited, to the following:

- Using reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury to any person;
- Using reasonable and necessary force to obtain possession of a weapon or other dangerous object within a person's control;
- Using reasonable and necessary force for self-defense or the defense of others;
- Using reasonable and necessary force for the protection of property;
- Using reasonable and necessary force to remove a disruptive student from a classroom or school premises, motor vehicle or school bus, or from school-sponsored activities;
- Using reasonable and necessary force to prevent a person from inflicting harm on himself or herself;
- Using reasonable and necessary force to protect the safety of others;
- Using incidental, minor or reasonable physical contact designed to maintain order and control, protect or defend; or
- Using reasonable force in physical activities associated with athletics.

When physical force is no longer necessary, it should be discontinued.

Any use of force against students must comply with District policies and procedures, including but not limited to Policy 3241—Student Discipline, and Policy 3246—Restraint, Isolation and Other Uses of Reasonable Force, and with applicable federal and/or state law.

Student Discipline

The primary responsibility for maintaining proper order and conduct in the schools resides with school principals or their designee, with the support of other school staff. Principals or their designee maintain order and handle all student discipline matters consistent with Policy 3241 – Student Discipline and Policy 3246 – Restraint, Isolation and Other Uses of Reasonable Force.

A School Safety Officer is prohibited from becoming involved in formal school discipline situations that are the responsibility of school administrators.

Request for Intervention (Students)

District staff administrators may require the School Safety Officer or other authorized personnel to intervene if a student's presence poses an immediate and continuing danger to others or an immediate and continuing threat of material and substantial disruption of the educational process or in other emergency circumstances consistent with Policy 3432 –Emergencies. A School Safety Officer or other authorized personnel do not need to be asked before intervening in emergencies.

Use of Deadly Force

1. All Kettle Falls School District employees, administration, and/or volunteers, subject to the District's current policies, may use any force necessary to stop a potentially deadly threat or great personal injury to any student, staff member or any persons on school property, based on current training, so long as the Kettle Falls School District employees, administration, and/or volunteers comply with current Washington State Laws regarding the use of deadly force.
2. All Kettle Falls School District employees, administration, and/or volunteers, upon the arrival of Law Enforcement, shall follow the instruction of Law Enforcement while at the scene, including stopping with the current security functions, assisting the officer(s) at the scene, or any other reasonable request issued by an officer(s).

Use of Force Continuum

1. **Passive Aggression** - A person refuses to leave when told to but is not physically or verbally aggressive. The person is non-compliant and refusing the direction of the Kettle Falls School District School Safety Officer or other designated school personnel. The School Safety Officer or other designated school personnel shall exhaust all means to diffuse the situation verbally and at the lowest level of force possible. Law enforcement will be called only if a law has been violated.
2. **Active Aggression** – A person is not hurting anyone, but the risk of potential harm has increased due to throwing objects or making direct verbal threats. After all reasonable verbal de-escalation attempts have been exhausted, the School Safety Officer or other designated school personnel may use simple, non-lethal control techniques to avoid potential injuries to students, staff, or any others in the vicinity. Law enforcement will be called only if a law has been violated.
3. **Physical** - A person has now initiated behavior that immediately threatens the safety of students, staff, or other persons in the vicinity. Examples include, but are not limited to, punching, kicking, pushing, spitting, pulling hair, throwing objects directly at a person, and other methods of physical harm to another person. A School Safety Officer or other designated school personnel may use restraint techniques and reasonable force necessary, but not limited to strikes or kicks, to protect them-self or anyone in their vicinity from injury. Law enforcement will be called only if a law has been violated.

4. **Life Threatening** - A person who is in the act of causing life-threatening injuries, produces serious bodily injury, or in the acts and/or verbal articulation of such acts to a person or a group of persons and has the means and ability to carry out this threat. A School Safety Officer or other designated school personnel may use any force necessary to protect the lives of students, staff, or others in their presence. Law enforcement will be called only if a law has been violated.

Caring for Injured Due to Use of Force

Should a School Safety Officer or other authorized school personnel engaged in school security activities use force where injury results, said School Safety Officer or authorized school personnel will call for appropriate medical aid when reasonably safe to do so. Law enforcement may be called for investigation depending upon the severity of the injury.

Notifying Law Enforcement

Law enforcement may be notified in situations where the use of force results in bodily injury.

Law enforcement shall be notified immediately in situations where the use of force results in substantial or great bodily harm and/or death.

Use of Force Requires a Report

A written report shall be made to the Kettle Falls School District Superintendent or their designee within five (5) school days of any use of force involving persons authorized by this policy.

Any use of force against a student shall require the filing of an Incident Report under Procedure 3246—Restraint, Isolation and Other Uses of Reasonable Force.

Equipment

Any equipment used for school safety and security and carried by the School Safety Officer or other personnel engaged in school security activities may be supplied by the District. If the individual chooses to supply their own equipment, the cost of such equipment will be borne by the individual. Regardless of who provides the equipment, including firearms, all equipment must be approved by the District. All security staff carrying firearms and other equipment will be trained to properly use such equipment.

Carrying Equipment

The equipment listed below is authorized for use. All equipment that is used will be approved by the Superintendent and meet law enforcement standards.

- Kettle Falls School District handheld radio
- Ballistic vest
- Handcuffs
- Other equipment as needed

Authorized Firearms

1. The authorized firearms for authorized personnel will be a pistol and AR style compact rifle of high quality and of a reputable firearms manufacture. No shotguns or long gun type firearm will be authorized for carry.
2. No. 1911 style or "single action only" firearm will be authorized without special authorization by the current Firearms Instructor and Superintendent. All firearms shall be double action striker-fired configuration only or hammerless revolvers, and only centerfire cartridges will be allowed.

3. All firearms must have a minimum 5-round capacity, whether cylinder or magazine. There is no limit to the capacity of the cylinder or magazine so long as the carrier of the firearm is in compliance with current Washington State Law regarding magazine capacity.
4. All pistols shall be a minimum 3" barrel length and no longer than a 6" barrel length. All firearm barrels shall have modern rifling inside the barrel to ensure bullet stability, accuracy, and muzzle velocity when fired.
5. No "ported" barrels will be allowed.
6. All pistol calibers shall be 9mm and all rifle calibers shall be 300 Black Out or 5.56/223, and all duty carry ammunition shall be supplied by the district.
7. All employees selected to carry a firearm on the Kettle Falls School District property shall pass a firearms training course. All staff authorized to carry a firearm shall pass a refresher course twice annually.
8. The weapons qualifications are done per weapon platform in three categories, striker fired, revolver, and rifle. Once qualified on one weapon platform, that employee is qualified on any firearm in that category, so long as the firearm and ammunition meet the requirements listed above.
9. If an employee is under disciplinary investigation or action by the District, the employee shall immediately cease to carry a firearm on school property until further notice by the Superintendent. Employees shall be subject to current Washington State laws regarding the carrying of firearms on school property. Employees may be subject to District disciplinary actions and or charged with a crime if he/she carries a firearm on Kettle Falls School District property without the expressed permission of the Superintendent.
10. All firearms supplied by the district shall depreciate over a two-year period. Employees possessing a district supplied firearm that leave prior to that term shall reimburse the district the remaining value of said firearm.

Storage and/or Transportation of Firearms

Staff engaged in school security activities approved to carry firearms shall transport their weapons to and from home and school. Transportation and carrying of firearms will be done in a manner which is safe and in accordance with District policy and state law.

Care and Maintenance of Firearms

All school staff engaged in school security activities will be responsible for maintaining their firearm's working integrity. Any firearm malfunction shall be reported to the Superintendent or their designee. The firearm may be removed from service depending on the severity of the malfunction until appropriate repairs can be made by a licensed and certified gunsmith or the manufacturer.

Modifications to Firearms

No modifications from factory settings shall be made to any firearms carried by staff engaged in school security activities without the prior permission of the Superintendent.

Identification

If school personnel are ever required to draw a firearm to confront an active shooter in the school, it will be important for them to be easily identified when law enforcement arrives on campus to avoid a "friendly fire" situation. Therefore, the District will work with local law enforcement personnel to determine procedures for easy identification.

Cross References: 3241 - Student Discipline
 3246 - Restraint, Isolation and Other Uses of Reasonable Force
 4210 - Regulation of Dangerous Weapons on School Premises

4260 - Use of School Facilities
4311 - School Safety and Security Services Program
5281 - Disciplinary Action and Discharge

Legal References:

RCW 9A.16.020 Use of force - when lawful
RCW 9A.16.040 - Justifiable homicide or use of deadly force by a public officer, peace officer, person aiding - Good faith standard
RCW 9A.16.050 - Homicide - By other person - When justifiable
RCW 9.41.250 Dangerous weapons—Penalty
RCW 9.41.280 Dangerous weapons on school facilities—Penalty — Exceptions
RCW 9.91.160 Personal protection spray devices
RCW 9.94A.825 Deadly weapon special verdict—definition
RCW 28A.320.124 School safety and security staff - Policy and procedure - Presentation to students
RCW 28A.600.420 Firearms on school premises, transportation, or facilities — Penalty — Exemptions

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