

WEAPONS AND DANGEROUS INSTRUMENTS

Prohibited weapons and dangerous instruments include, but are not limited to: (Education Code 48915, 49330; Penal Code 626.10, 16100-17350, 30310)

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion
2. Ammunition or reloaded ammunition
3. Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade
4. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
5. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun
6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
7. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm

Notwithstanding the above, for the purposes of JROTC Marksmanship program, CO2 air pellet rifles and similar rifles that do not constitute a "firearm" will be permitted on campus for practice and competition purposes. Imitation firearms and sabers are permitted for JROTC Drill and color guard programs. Pursuant to Education Code section 48900(b), possession of any dangerous object on campus, including CO2 air pellet rifles, requires written permission from a certificated school employee, concurred in by the principal or designee. Failure to obtain such written permission may result in discipline. In addition, even when such permission is granted, any misuse or reckless use of a dangerous object on campus is prohibited and may result in discipline.

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code 49331, 49332)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal

When informing the principal about the possession of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.

The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated, or the weapon is relinquished to law enforcement or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35291

Ed. Code 48902

Ed. Code 48915

Ed. Code 48916

Ed. Code 49330-49335

Pen. Code 16100-17350

Pen. Code 22810-23025

Pen. Code 245

Pen. Code 25200-25225

Pen. Code 30310

Pen. Code 417.4

Pen. Code 626.10

Description

Governing board to prescribe rules for discipline of the schools

Notification of law enforcement authorities

Required recommendation for expulsions

Readmission

Injurious objects

Definitions

Tear gas weapon (pepper spray)

Assault with deadly weapon

Firearms, access to children

Prohibition against ammunition on school grounds

Imitation firearm; drawing or exhibiting

Dirks, daggers, knives, razor or stun gun; bringing or possessing in school

WEAPONS AND DANGEROUS INSTRUMENTS (continued)**State References** (continued)

Pen. Code 626.9

Pen. Code 653k

Description

Gun-Free School Zone Act of 1995

Switchblade knife

Federal References

20 USC 6301-7941

20 USC 7961

Description

No Child Left Behind Act

Gun-Free Schools Act

Management ResourcesCalifornia Department of
Education Communications

CSBA Publication

U.S. Department of
Education Publication

Website

Website

Website

Website

Website

Description0401.01 Protecting Student Identification in Reporting
Injurious ObjectsSafe Schools: Strategies for Governing Boards to Ensure
Student Success, Third Edition, October 2011Guidance Concerning State and Local Responsibilities
Under the Gun-Free Schools Act, January 2004

National Alliance for Safe Schools

National School Safety Center

U.S. Department of Education, Office of Safe and Drug
Free Schools

California Department of Education, Safe Schools

CSBA

Cross References**Code**

0450

1313

3515

3515.3

3515.31

3515.7

3516.2

4158

4258

4358

5116.1

5125

5131

5131.41

5136

5137

5138

5141.4

5144

5144.1

5144.2

5145.12

6184

Description

Comprehensive Safety Plan

Civility

Campus Security

District Police/Security Department

School Resource Officers

Firearms On School Grounds

Bomb Threats

Employee Security

Employee Security

Employee Security

Intradistrict Open Enrollment

Student Records

Conduct

Use Of Seclusion And Restraint

Gangs

Positive School Climate

Conflict Resolution/Peer Mediation

Child Abuse Prevention And Reporting

Discipline

Suspension And Expulsion/Due Process

Suspension And Expulsion/Due Process (Students With
Disabilities)

Search And Seizure

Continuation Education

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

Regulation
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revised: October 13, 2022

MURRIETA VALLEY USD
Murrieta, California