

WEAPONS AND DANGEROUS INSTRUMENTS

Students shall not possess weapons or dangerous instruments of any kind on school grounds, buildings, buses nor at any school-related or school sponsored activity away from school facilities, unless written permission has been obtained from the principal.

Principals shall not give such written permission except on request of a teacher and on assurance that such possession serves a positive and appropriate purpose and that proper precautions have been taken to ensure that no accidents will occur or that the weapon or dangerous instruments will not be misused while under school supervision.

Weapons and dangerous instruments include, but are not limited to:

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers and any other device capable of chemically propelling a projectile.
2. Cutting and puncturing devices: dirks, daggers, knives with blades longer than three and one-half inches, folding knives with a blade that locks into place or razor with an unguarded blade.
3. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids and other hazardous devices.

Any school employee may seize any cutting or puncturing device from the possession of any person on school grounds. Such personnel may do so if they have reason to believe that the person is prohibited from possessing such a weapon. (Penal Code 626.10)

Any other dangerous device, instrument or weapon, especially those defined in the Penal Code, Section 12020, including a blackjack, slingshot, billy, nunchaku, sand-club, 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, may be seized by any employee of the district under the power granted to the Governing Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public. A school employee seizing any weapon or dangerous instrument under the provisions of this regulation shall deliver the seized device to the building principal immediately.

Possession of these weapons or devices on school campus may also be a violation of the Penal Code. Any violation of this regulation shall be reported immediately to the local law enforcement agency.

The employee may first contact the local law enforcement agency concerning student possession of any weapon or dangerous instrument or device.

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If it is known that a student has possession of such a device but the device has not been seized, the employee shall also report the matter to the principal immediately, and the principal shall take the appropriate action. The employee's report to the principal shall include the name(s) of persons involved, witnesses, location, circumstances of the seizure and whether or not law enforcement has been notified.

The principal shall notify law enforcement of any seizure or possession of weapons if such notice has not already been provided by an employee. The principal shall also report all violations of this regulation to the Superintendent or designee.

The principal shall take disciplinary action as he/she may determine necessary in accordance with Board policies and regulations. He/she shall report the incident to the student's parents/guardians by telephone, or in person, and follow this notification with a letter. The student may also be subject to possible court action.

(cf. 3514 - Safety)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

*Legal Reference:*EDUCATION CODE

35291 *Governing board to prescribe rules for the government and discipline of the schools under its jurisdiction*

48900 *Causes for suspension expulsion*

48902 *Notification of law enforcement authorities*

48915 *Required recommendation for expulsions*

48916 *Readmission*

49330-49335 *Injurious objects*

PENAL CODE

245 *Assault with deadly weapon*

417.4 *Imitation firearm; drawing or exhibiting*

626.9 *Gun-Free School Zone Act of 1995*

626.10 *Dirks, daggers, knives, razor or stun gun; bringing or possession in school*

653k *Switchblade knife*

12020 *et seq. Unlawful carrying and possession of concealed weapons; definitions and restrictions*

UNITED STATES CODE, TITLE 20

6301-7941 *No Child Left Behind Act*

7151 *Gun-Free Schools Act*

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Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

0401.01 Protecting Student Identification in Reporting Injurious Objects

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004

WEB SITES

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

National Alliance for Safe Schools: <http://www.safeschools.org>

National School Safety Center: <http://www.schoolsafety.us>

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

<http://www.ed.gov/about/offices/list/osdfs>

California School Boards Association: <http://www.csba.org>