

WEAPONS AND DANGEROUS INSTRUMENTS

The Board of Trustees desires students and staff to be free from the fear and danger presented by firearms and other weapons. The Board therefore prohibits students from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at a school-related or school-sponsored activity away from school.

Under the power granted to the Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public, any school employee is authorized confiscate a weapon, dangerous instrument or imitation firearm from any person on school grounds.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 4158/4258/4358 - Employee Security)

Students possessing or threatening others with a weapon, dangerous instrument or imitation firearm are subject to suspension and/or expulsion in accordance with law, Board policy and administrative regulations.

(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

The principal or designee shall notify law enforcement authorities when any student possesses a weapon or commits any act of assault with a firearm or other weapon. (20 P.L. 107-110, Section 4141; Education Code 48902; Penal Code 245, 626.9, 626.10)

Possession of Pepper Spray

The Board recognizes that students age 16 or older may legally possess tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. However, to prevent potential misuse that may harm students or staff, students are prohibited from carrying such items on campus or at school activities.

Legal Reference: (see next page)

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

Legal Reference:

EDUCATION CODE

35291 Board of Trustees to prescribe rules for the government and discipline of the schools

48900 Grounds 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

417.2 Imitation firearms

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 possessing in school or on school grounds; exception

653k Soliciting a minor to commit certain felonies

12001 Control of deadly weapons

12020-12028.5 Unlawful carrying and possession of concealed weapons

12403.7 Weapons approved for self defense

12220 Unauthorized possession of a machinegun

12401 Tear gas

12402 Tear gas weapon

12403.7 Weapons approved for self defense

12403.8 Minors 16 or over; tear gas and tear gas weapons

UNITED STATES CODE, TITLE 20

6301-7941 No Child Left Behind Act; especially:

7151 Gun-Free Schools Act

Management Resources:

CDE COMMUNICATIONS

0401.01 Protecting Student Identification in Reporting Injurious Objects

WEB SITES

CDE, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety/safetyhome>

CSBA: <http://www.csba.org>