

**Students**

**WEAPONS AND DANGEROUS INSTRUMENTS**

The Governing Board desires students and staff to be free from the fear and danger presented by firearms and other weapons. The Board prohibits students from possessing weapons, replicas of weapons, 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, or while going to or coming from school.

(cf. 3515.3 – District Police/Security Department)

**Possession of Weapons**

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))

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 to confiscate a weapon, dangerous instrument or imitation firearm from any person on school grounds.

The principal or designee shall notify law enforcement authorities when any student possesses a weapon without permission or commits any act of assault with a firearm or other weapon. (20 USC 7151; Education Code 48902; Penal Code 245, 626.9, 626.10). Any student who is determined to have brought a firearm to school or to have possessed a firearm at school will be expelled for not less than one year. (Education Code 48915(c)[1]. The Board may allow earlier admission on a case-by-case basis. (Education Code 48916)

(cf. 0450- Comprehensive Safety Plan)

(cf. 4158/4258/4358 – Employee Security)

The Board encourages students to promptly report the presence of weapons, injurious objects or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

(cf. 5125 – Students Records)

(cf. 5138 – Conflict Resolution/Peer Mediation)

Legal Reference:

**EDUCATION CODE**

35291 Governing board to prescribe rules for 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  
417.4 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  
12020-12036 Unlawful carrying and possession of concealed weapons  
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  
12555 Imitation firearms

#### 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

#### CSBA PUBLICATIONS

911: A Manual for Schools and the Media During a Campus Crisis, 2001  
Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

#### WEB SITES

California Attorney General's Crime and Violence Prevention Center: <http://www.safestate.org>  
California Department of Education, Safe Schools: <http://www.cde.ca.gov/1s/ss>  
CSBA: <http://www.csba.org>  
National Alliance for Safe Schools: <http://www.safeschools.org>  
National School Safety Center: <http://www.nssc1.org>  
U.S. Department of Education, Safe Schools:  
<http://www.ed.gov/about/offices/list/osers/osep/gtss.html>

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