

Students

Board Policy No. 5131.7

Policy Adopted: March 5, 2015

Policy Reviewed: February 8, 2024

WEAPONS AND DANGEROUS INSTRUMENTS

The Governing Board recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds, when using district provided transportation, at school-related or school-sponsored activities away from school, or while going to or coming from school.

If a student is in possession of a prohibited weapon, imitation firearm, or dangerous instrument which creates a threat or perceived threat of a homicidal act, any employee or other school official who is alerted to or observes such threat shall immediately report the threat to law enforcement.

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

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7961)

Unless a student has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

All staff shall be made aware of their responsibilities regarding the reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats.

Advance Permission for Possession of a Weapon for Educational Purposes

The parent/guardian of a student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall submit a written request to the principal, at least five school days in advance of the planned possession which explains the planned use of the weapon and the duration, together with a written explanation from the staff person responsible for the school-sponsored activity or class.

The principal may grant permission for such possession when it is determined that possession of a firearm, imitation firearm, or other prohibited weapon on school grounds is necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, the student and staff person shall be provided with a written explanation regarding any limitations and the permissible duration of the student's possession.

When the principal or designee grants permission, all necessary precautions shall be taken to ensure the safety of all

persons on school grounds and the safe keeping of the weapon, including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any permitted weapon shall be stored in a locked vehicle or in an appropriate, locked container before and after its authorized use.

Any student granted permission to possess a weapon may be suspended and/or expelled if the weapon is possessed or used inappropriately.

Possession of Pepper Spray

To prevent potential misuse that may harm students or staff, students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

Reporting of Dangerous Objects

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.

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee shall also inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

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.

Education Code

Ed. Code 35291, Governing board to prescribe rules for discipline of the schools

Ed. Code 48902, Mandatory notification of law enforcement authorities

Ed. Code 48915, Required recommendation for expulsions

Ed. Code 48916, Readmission

Ed. Code 48980, Parent/Guardian notifications

Ed. Code 49330-49335, Injurious objects

Ed. Code 49390-49395, Homicide threats

Pen. Code 16100-17360, Definitions

Pen. Code 22810-23025, Tear gas weapon (pepper spray)

Pen. Code 245, Assault with deadly weapon

Pen. Code 25200-25225, Firearms; access to children

Pen. Code 30310, Prohibition against ammunition on school grounds

Pen. Code 417.4, Imitation firearm; drawing or exhibiting

Pen. Code 626.10, Dirks, daggers, knives, razor or stun gun; bringing or possessing in school

Pen. Code 626.9, Gun-Free School Zone Act of 1995

Federal Code

20 USC 6301-8961, No Child Left Behind Act

20 USC 7961, Gun-Free Schools Act

6 USC 665k, Federal Clearinghouse on School Safety Evidence-Based Practices

Management Resources

CSBA Publication, Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011

U.S. Department of Education Publication, Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, 2018

Website, U.S. Department of Homeland Security, Fusion Centers
Website, California State Threat Assessment System
Website, CSBA District and County Office of Education Legal Services
Website, U.S. Department of Education, Safe Schools
Website, National Alliance for Safe Schools
Website, National School Safety Center
Website, U.S. Department of Education, Office of Safe and Drug Free Schools
Website, California Department of Education, Safe Schools
Website, CSBA

Cross References

0450, Comprehensive Safety Plan
0450, Comprehensive Safety Plan
1313, Civility
3515, Campus Security
3515, Campus Security
3515.3, District Police/Security Department
3515.3, District Police/Security Department
3515.31, School Resource Officers
3515.7, Firearms On School Grounds
3516.2, Bomb Threats
4158, Employee Security
4158, Employee Security
4258, Employee Security
4258, Employee Security
4358, Employee Security
4358, Employee Security
5116.1, Intradistrict Open Enrollment
5116.1, Intradistrict Open Enrollment
5125, Student Records
5125, Student Records
5131, Conduct
5131.41, Use Of Seclusion And Restraint
5136, Gangs
5136, Gangs
5137, Positive School Climate
5138, Conflict Resolution/Peer Mediation
5141.4, Child Abuse Prevention And Reporting
5141.4, Child Abuse Prevention And Reporting
5144, Discipline
5144, Discipline
5144.1, Suspension And Expulsion/Due Process
5144.1, Suspension And Expulsion/Due Process
5144.2, Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12, Search And Seizure
5145.12, Search And Seizure
6184, Continuation Education
6184, Continuation Education