

WEAPONS AND DANGEROUS INSTRUMENTS

Principals shall not permit the possession of weapons or dangerous objects at school except at the request of a teacher and on assurance that such possession serves a positive, appropriate purpose, and that proper precautions have been taken that no accidents shall occur and that the weapon or dangerous objects shall not be misused while under school supervision.

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

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," tasers, "stun guns," and any other device capable of chemically propelling a projectile by the force of an explosion or other form of combustible.
2. Knives, razor blades and box cutters, any dirks, daggers, knives, 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.
4. 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 (Penal Code 626.10)
5. Any other dangerous device instrument or weapon, especially 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.
6. 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. (Education Code 48900)

Possession of or bringing such weapons or devices on school grounds may also be a violation of the Penal Code, and therefore any violation of this regulation shall be reported immediately to the local law enforcement agency and the parents or guardian notified if possible. Students who violate this regulation will be subject to appropriate disciplinary action as well as possible court action. (cf. 5114/5114.1 - Suspension and Expulsion/Due Process)

Any certificated or classified employee or school peace officer may confiscate any weapon or dangerous object 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, designed for use as a weapon, may be confiscated 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.

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Every certificated or classified employee or school peace officer confiscating any weapon or dangerous object under the provisions of this regulation shall report the incident and deliver the confiscated device to the building principal immediately. His/her report shall include the name(s) of persons involved, witnesses, location and circumstances of the confiscation. If it is known that a student has possession of such a device but the device has not been confiscated, the employee should report the matter to the principal immediately and the principal shall take the appropriate action. The principal shall report all violations of this regulation to the Superintendent, or his/her designee, and to the local law enforcement agency.

The principal shall also take such disciplinary action as he/she may determine necessary pursuant to Administrative Regulation 5114, and shall report the incident to the parents or guardian of the student by telephone or in person, and follow this notification with written communication in the primary language of the parent/guardian.

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

[417.2](#) 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

PUBLIC LAW 107-110

[1001-9601](#) No Child Left Behind Act; especially:

[4141](#) Gun-Free Schools Act

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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>

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Revised: 7/24/90

Revised: 1/20/93

Revised: 3/9/93

Revised: 10/09/01