

**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 USC 8922, 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. Students who carry such items at school or school activities shall be subject to suspension and/or expulsion, however, if they use such items improperly or for any purpose other than self-defense.

*Legal Reference: (see next page)*

**WEAPONS AND DANGEROUS INSTRUMENTS (continued)**

*Legal Reference:*

EDUCATION CODE

35291 *Governing board 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 *Injurious object*

49331 *Removal from possession of pupil by designated employee*

49332 *Notification of parent or guardian; retention of object by school personnel; release*

49333 *Return of object*

49334 *Injurious objects: notification to law enforcement*

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*

12020-12028.5 *Unlawful carrying and possession of concealed weapons*

12403.7 *Weapons approved for self defense*

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

UNITED STATES CODE, TITLE 20

6301-8962 *Improving America's Schools Act, especially:*

8921-8922 *Gun-Free Schools Act of 1994*