

Weapons And Dangerous Instruments

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

(cf. 0450 – Comprehensive Safety Plan)
(cf. 3515.3 - District Police/Security Department
(cf. 5116.1 – Intra-district Open Enrollment)
(cf. 5131 – Conduct)
(cf. 5138 – Conflict Resolution/Peer Mediation)

Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or dangerous instruments as defined in law and administrative regulation in school buildings, on school grounds or buses, or at any school-related or school-sponsored activity away from school or while going to or coming 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 others on district property, any school employee is authorized to confiscate any prohibited weapon, dangerous instrument or imitation firearm from any student on school grounds.

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

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

(cf.5144 – Discipline)
(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 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. (20 USC 7151; Education Code 48902; Penal Code 245, 626.9, 626.10)

(cf.3515.2 – Disruptions)

Possession of Pepper Spray

The Board recognizes that students age 16 or older may become certified to carry 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 possessing such items 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 any school staff. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

(cf. 5125 - Student Records)

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 strategy shall also provide a method of informing 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.

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
653k Switchblade knife
16100-17350 Definitions
22810-23025 Tear gas weapon (pepper spray)
25200-25225 Firearms, access to children
30310 Prohibition against ammunition on school grounds

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

Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011
911: A Manual for Schools and the Media During a Campus Crisis, 2001

U.S. DEPARTMENT OF EDUCATION COMMUNICATIONS

Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004

WEB SITES

California Attorney Generals Crime and Violence Prevention Center: <http://www.safestate.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

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>

Policy FRESNO UNIFIED SCHOOL DISTRICT

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