

Policy 5131.7: Weapons and Dangerous Instruments

Original Adopted Date: 03/21/2012

New Revised Date: 06/21/2023 (Pending Board Approval)

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.

~~(cf. 0450—~~

~~Comprehensive Safety Plan)~~

~~(cf. 3515.3— District Police/Security Department)~~

~~(cf. 5116.1— Intradistrict 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 other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds ~~or buses~~, 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. ~~(cf. 4158/4258/4358— Employee Security)~~

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~~Unless he/she~~ 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.

Possession of Pepper Spray

(Districts that prohibit students from bringing tear gas or tear gas weapons)

~~(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. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7151)~~

~~(cf. 3515.2 – Disruptions)~~

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.

~~(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 Superintendent or designee ~~also~~ 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.

State

Description

Ed. Code 35291	Governing board to prescribe rules for discipline of the schools Governing board to prescribe rules for discipline of the schools
Ed. Code 48902	Mandatory notification of law enforcement authorities Mandatory notification of law enforcement authorities
Ed. Code 48915	Required recommendation for expulsions Required recommendation for expulsions
Ed. Code 48916	Readmission Readmission
Ed. Code 48980	Parent/Guardian notifications Parent/Guardian notifications
Ed. Code 49330-49335	Injurious objects Injurious objects
Ed. Code 49390-49395	Homicide threats Homicide threats
Pen. Code 16100-17360	Definitions Definitions
Pen. Code 22810-23025	Tear gas weapon (pepper spray) Tear gas weapon (pepper spray)
Pen. Code 245	Assault with deadly weapon Assault with deadly weapon
Pen. Code 25200-25225	Firearms; access to children Firearms; access to children
Pen. Code 30310	Prohibition against ammunition on school grounds Prohibition against ammunition on school grounds
Pen. Code 417.4	Imitation firearm; drawing or exhibiting Imitation firearm; drawing or exhibiting
Pen. Code 626.10	Dirks, daggers, knives, razor or stun gun; bringing or possessing in school Dirks, daggers, knives, razor or stun gun; bringing or possessing in school
Pen. Code 626.9	Gun-Free School Zone Act of 1995 Gun-Free School Zone Act of 1995

Description

Federal	
20 USC 6301-8961	No Child Left Behind Act No Child Left Behind Act
20 USC 7961	Gun-Free Schools Act Gun-Free Schools Act
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices Federal Clearinghouse on School Safety Evidence-Based Practices

Management Resources

CSBA Publication

U.S. Department of Education Publication

Website

Website

Website

Website

Description

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

Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, 2018

U.S. Department of Homeland Security, Fusion Centers California State Threat Assessment System

CSBA District and County Office of Education Legal Services

U.S. Department of Education, Safe Schools

[Website](#)
[Website](#)
[Website](#)

[National Alliance for Safe Schools](#)
[National School Safety Center](#)
[U.S. Department of Education, Office of Safe and Drug Free Schools](#)

[Website](#)
[Website](#)

[California Department of Education, Safe Schools CSBA](#)

Management Resources

Description

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

Code	Description
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
1313	Civility Civility
3515	Campus Security Campus Security
3515	Campus Security Campus Security
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers School Resource Officers
3515.7	Firearms On School Grounds Firearms On School Grounds
3516.2	Bomb Threats Bomb Threats
4158	Employee Security Employee Security
4158	Employee Security Employee Security
4258	Employee Security Employee Security

4258	Employee Security Employee Security
4358	Employee Security Employee Security
4358	Employee Security Employee Security
5116.1	Intradistrict Open Enrollment Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment Intradistrict Open Enrollment
5125	Student Records Student Records
5125	Student Records Student Records
5131	Conduct Conduct
5131.41	Use Of Seclusion And Restraint Use Of Seclusion And Restraint
5136	Gangs Gangs
5136	Gangs Gangs
5137	Positive School Climate Positive School Climate
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting Child Abuse Prevention And Reporting
5144	Discipline Discipline
5144	Discipline Discipline
5144.1	Suspension And Expulsion/Due Process Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure Search And Seizure
5145.12	Search And Seizure Search And Seizure
6184	Continuation Education Continuation Education
6184	Continuation Education Continuation Education