

Regulation 5131.7: Weapons And Dangerous Instruments

Status: DRAFT

Original Adopted Date: 01/13/2009 | Last Revised Date: 01/22/2019 | Last Reviewed Date: 01/22/2019

Prohibited weapons and dangerous instruments include, but are not limited to: (Education Code 48915, 49330; Penal Code 626.10, 16100-17350~~17360~~, 30310)

1. Firearms: .pistols, revolvers, shotguns, rifles, **machineguns**, "zip guns," "stun guns," tasers, **cane guns**, **camouflaging firearms**, and any other device **from which is expelled through a barrel and** capable of propelling a projectile by the force of an explosion or other form of combustion
2. Ammunition or reloaded ammunition
3. Knives, razor blades, and box cutters: .any dirks, daggers (**or concealed dirks or daggers**), **cane swords**, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than ~~23~~-1/2 inches, folding knives with a blade that locks into place, **switchblade knives**, and razors with an unguarded blade
4. Explosive and/or incendiary devices: .pipe bombs, time bombs, **rockets or rocket propelled projectile launchers**, cap guns, **bullets containing or carrying an explosive agent**, containers of inflammable fluids, and other hazardous devices **or concealed explosive substances**
5. 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
6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code ~~1202016000-~~**34370**, 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
7. 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

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code 49331, 49332)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use ~~his/her~~**the employee's** own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal

When informing the principal about the possession of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.

The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

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 References

	Description
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 References

	Description
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 References

	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 - https://simbli.eboardsolutions.com/SU/PSVyV1hfKjpmRQXd5vTBKQ==
Website	California State Threat Assessment System - https://simbli.eboardsolutions.com/SU/CX8ou4hFcTRJKHzwyPRczQ==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykyszdmPETuDsIshXk6R5akQ==
Website	U.S. Department of Education, Safe Schools - https://simbli.eboardsolutions.com/SU/oAzymbk5SPEBHf0sq3oRlg==
Website	National Alliance for Safe Schools - https://simbli.eboardsolutions.com/SU/YuVAplus12H5XGedPD6XmgZCg==
Website	National School Safety Center - https://simbli.eboardsolutions.com/SU/DT4ecTE5xOmkiuXpIMccKw==
Website	U.S. Department of Education, Office of Safe and Drug Free Schools - https://simbli.eboardsolutions.com/SU/h6hoZ1OXMOTe5QOSMplusZuRg==
Website	California Department of Education, Safe Schools - https://simbli.eboardsolutions.com/SU/AxdFslshFpyQ1QP0821fOy9pg==

Website CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

Description

- 0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==>
- 0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==>
- 1313 Civility - <https://simbli.eboardsolutions.com/SU/yOa4hXbmytyIs4p2JKUbNw==>
- 3515 Campus Security - <https://simbli.eboardsolutions.com/SU/wE5EP5B8fBx9Ez6nvEHRMA==>
- 3515 Campus Security - <https://simbli.eboardsolutions.com/SU/AQ7S7fhstypcOUPESqlxQw==>
- 3515.7 Firearms On School Grounds - <https://simbli.eboardsolutions.com/SU/OtrNvslshMDMIBSs1slshkJyWUoQ==>
- 3516.2 Bomb Threats - <https://simbli.eboardsolutions.com/SU/qz0d6tsfAHzXebzeQw1MJg==>
- 4158 Employee Security - <https://simbli.eboardsolutions.com/SU/NKJ0gbceQH90dq6IFUplus5tQ==>
- 4158 Employee Security - <https://simbli.eboardsolutions.com/SU/jVIXyG8eRmdszhOgitD39Q==>
- 4258 Employee Security - <https://simbli.eboardsolutions.com/SU/l328lb63xslshLEHOplusHgt9TA==>
- 4258 Employee Security - <https://simbli.eboardsolutions.com/SU/0UbvzplusKzjWxh2CPHfPslsh8A==>
- 4358 Employee Security - <https://simbli.eboardsolutions.com/SU/GCLlslshdWylslshTslshf5SyRDaxw==>
- 4358 Employee Security - <https://simbli.eboardsolutions.com/SU/jVDlinrb9XSM3NqmaoQUYw==>
- 5116.1 Intradistrict Open Enrollment - <https://simbli.eboardsolutions.com/SU/8DLBrRtLSFxiKF26c5qyA==>
- 5116.1 Intradistrict Open Enrollment - <https://simbli.eboardsolutions.com/SU/PwEuplusbULMEVWSO7fDTjtHg==>
- 5125 Student Records - <https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshMQ==>
- 5125 Student Records - <https://simbli.eboardsolutions.com/SU/Arf4IGHplusjQnGslsh3Sd1slshP0Hw==>
- 5131 Conduct - <https://simbli.eboardsolutions.com/SU/gCHmgEvELPHGSbXveh7njA==>
- 5131.41 Use Of Seclusion And Restraint - <https://simbli.eboardsolutions.com/SU/X7ocz4YH2LMslshZO1CslshRPIEA==>
- 5136 Gangs - <https://simbli.eboardsolutions.com/SU/1EKslshsKdiaplugBVSbfNqYt4g==>
- 5136 Gangs - <https://simbli.eboardsolutions.com/SU/WHy2Dqpc7nKnitPywHTa1w==>
- 5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/tfJUzI75Ik5USth1slshchO1g==>
- 5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/gYslshHHnEDM0tHaXoDoUSGsw==>
- 5144 Discipline - <https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggq0xR0Q==>
- 5144 Discipline - <https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PBIQ==>

- 5144.1 Suspension And Expulsion/Due Process -
<https://simbli.eboardsolutions.com/SU/2KWiSVzOJQsLVudCpe2bpg==>
- 5144.1 Suspension And Expulsion/Due Process -
<https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==>
- 5144.2 Suspension And Expulsion/Due Process (Students With Disabilities) -
<https://simbli.eboardsolutions.com/SU/lslshWEps64d5tGtqQbrl8gaQ==>
- 5145.12 Search And Seizure -
<https://simbli.eboardsolutions.com/SU/soDH3om5D0V9D5P4ZBpiplusg==>
- 5145.12 Search And Seizure -
<https://simbli.eboardsolutions.com/SU/3eQUfplusntKiMSoWhdgAQ4g==>
- 6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/yvxnNaJRq3tN2QNAspVDsg==>
- 6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/n2vXlrDOabjvPYtxuaplusQHg==>