

***Riverside County Office of Education
Board Policy 5131.7 Weapons and Dangerous Instruments***

STUDENTS

SUBJECT: Weapons and Dangerous Instruments

Possession of Weapons

The Riverside County Board of Education (County Board) and Riverside County Superintendent of Schools (County Superintendent) desire students and staff to be free from the fear and danger presented by firearms and other weapons and recognize that they have the right to a safe and secure campus free from psychological and physical harm. The County Office prohibits any person other than authorized law enforcement from possessing weapons, imitation firearms, or dangerous instruments of any kind in school/program buildings, on school/program grounds or buses, at school/program-related or school/program-sponsored activities away from the school/program, or while going to or coming from school. (cf. 4158/4258/4358 - Employee Security)

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.

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)

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. (Education Code 48915; 20 USC 7151) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Under the power granted to the County Superintendent to maintain order and discipline in the schools and to protect the safety of students, staff, and the public, any County Office employee is authorized to confiscate a weapon, dangerous instrument, or imitation firearm from any person on school grounds. (cf. 4158/4258/4358 - Employee Security)

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.

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Reporting of Injurious Objects

The County Board and County Superintendent encourage 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 County 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. (cf. 5138 - Conflict Resolution/Peer Mediation)

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 Soliciting a minor to commit certain felonies

12001 Control of deadly weapons

12020-12036 Unlawful carrying and possession of concealed weapons

12220 Unauthorized possession of a machine gun

12401-12404 Tear gas

12550-12556 BB devices and imitation firearms

UNITED STATES CODE, TITLE 20

6301-7941 No Child Left Behind Act; especially:

7151 Gun-Free Schools Act

Management Resources:

CSBA PUBLICATIONS

911: A Manual for Schools and the Media During a Campus Crisis, 2001

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

0401.01 Protecting Student Identification in Reporting Injurious Objects

WEB SITES

CSBA: <http://www.csba.org>

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

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

National Alliance for Safe Schools: <http://www.safeschools.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office of Safe and Drug Free Schools:

<http://www.ed.gov/about/offices/list/osdfs/index.html>