

WEAPONS AND DANGEROUS INSTRUMENTS

The board of education prohibits the possession and/or use of firearms, other weapons, or instruments which can be used as weapons from school property, on a school bus, at any school function, or while enroute to or from school or any school function.

For the purpose of this policy "weapon" includes but is not limited to those items enumerated in N.J.S.A. 2C:39-1r. The principal shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possession or use posing a threat to students, staff or property.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program pending a hearing before the board to remove the pupil from the regular education program for a period of not less than one calendar year.

The principal/designee shall be responsible for the removal of such a pupil and shall immediately report the removal to the chief school administrator. The chief school administrator may modify a pupil's removal on a case-by-case basis. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

A student found or observed on school property or at a school event in possession of a weapon or dangerous instrument other than a firearm shall be reported to the principal/designee immediately. The principal shall immediately inform the chief school administrator/designee and appropriate law enforcement officials with all known information concerning the matter, including the identify of the pupil involved.

The chief school administrator shall determine at the end of the year whether the student is prepared to return to the regular education program in accordance with procedures established by the Commissioner of Education.

Disciplinary action shall be taken against students who possess, handle, transmit or use firearms, other weapons, or dangerous instruments. Classified students shall be disciplined in accordance with their IEP and in compliance with law and administrative code. As in all disciplinary cases, due process will be provided (see policies 5114 Suspension and expulsion and 5131 Conduct/discipline).

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POLICY
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FILE CODE: 5131.7

A violence and vandalism report shall be filed whenever a student is found to be in possession of a firearm, other weapon, or dangerous instrument.

Remotely Activated Paging Devices (Beepers)

No student shall bring or possess a remotely activated paging device on any property used for school purposes without the written permission of the school board, unless he/she is an active member in good standing of a volunteer fire company or first aid, ambulance or rescue squad.

Student members of a volunteer fire company or first aid, ambulance or rescue squad may carry remotely activated paging devices provided that:

- A. The student is required to respond to an emergency, and
- B. A copy of the statement by the chief executive officer of the volunteer fire company or first aid, ambulance or rescue squad authorizing the possession of the paging device is in the possession of the student at all times while the student is in possession of the remotely activated paging device.

Implementation

The board directed the chief school administrator to develop regulations to implement this policy.

Date: February 13, 1995

Revised: May 13, 1996

Revised: September 9, 1996

Revised: November 17, 1998

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Policy

File Code: 5131.7

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Implementation

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Date: February 13, 1995

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N.J.S.A. 2A:4A-60 et al.

N.J.S.A. 2C:33-18

N.J.S.A. 2C:33-19

N.J.S.A. 2C:39-1

N.J.S.A. 2C:39-5

N.J.S.A. 2C:39-6

N.J.S.A. 18A:6-1

N.J.S.A. 18A:36-19.2

N.J.S.A. 18A:37-1

N.J.S.A. 18A:37-2

N.J.A.C. 6:29-10.1 et seq

See particularly:

N.J.A.C. 6:29-10.2, -10.4(b),

-10.5

Disclosure of juvenile information; penalties for disclosure

Remotely activated paging device; sale, lease or give to person under 18; exceptions; authorization by physician or surgeon or operator of legal commercial enterprise; violations; seizure and forfeiture

Bringing or possessing remotely activated paging device by student on property used for school purposes without express written permission of school board; disorderly persons offense

Definitions

Unlawful possession of weapons

Exemptions

Corporal punishment of pupils

Student locker or other storage facility; inspections;

notice to students

Submission of pupils to authority

Causes for suspension or expulsion of pupils

Safe and drug free schools

P.L. 103-382, Improving America's Schools Act of 1994

Section 1702, USPL 101-647 Prohibits possession or discharge of a firearm in a school zone

Attorney General's Executive Directive No. 1988-1, Memorandum of Agreement (revised, amended)

State in Interest of T.L.O. 94 N.J. 331, 346 (1983), rev'd 105 S. Ct. 733 (1985)

Possible Cross References:

- *5114 Suspension and expulsion
- *5131 Conduct/discipline
- *5131.5 Vandalism/violence
- *5131.6 Drugs, alcohol, tobacco (substance abuse)
- *5145.11 Questioning and apprehension
- *5145.12 Search and seizure

*Indicates policy is included in the Critical Policy Reference Manual

WEAPONS AND DANGEROUS INSTRUMENTS

Purpose:

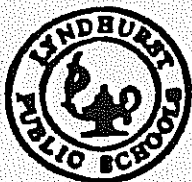
To establish a procedure for properly handling and discarding weapons and dangerous instruments on school property:

Responsible Person(s):

Principal

Procedure:

1. A. Any employee or student who becomes aware of a student possessing a dangerous instrument or weapon shall immediately report it to the principal; however, where the weapon may be safely confiscated the employee may do so.
- B. The law enforcement agency and the county prosecutor will be available to provide school officials with information and advise on disguised weapons and their prevalence in the district or county so they may be readily identified by school officials.
2. The principal shall:
 - A. confiscate the weapon when it can be accomplished safely;
 - B.
 1. report the incident to the appropriate law enforcement authorities;
 2. law enforcement agency receiving information about offense will respond promptly and will handle matter in accord with provisions of the Attorney General's Executive Directive Concerning the Handling of Juvenile Matters by Police and Prosecutors. School officials should give police information on chain of custody of weapon;
 - C. contact the parent/guardian



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Regulation

- D. take precautionary measure to ensure that the weapon or dangerous instrument is not stolen or unlawfully used by any person;
- E. prepare a report to be filed in the school's records and forward a copy to the Superintendent

Note: In the absence of the principal, the vice principal will assume responsibility

- 3. Upon receipt of the report, the Superintendent or his designee shall consult with the principal to determine the disciplinary action.

Dated: April 2, 1996