

Regulation 5131.7: Weapons And Dangerous Instruments

Status: ADOPTED

Original Adopted Date: 07/01/2001 | Last Revised Date: 12/01/2022 | Last Reviewed Date: 12/01/2022

Prohibited weapons and dangerous instruments include, but are not limited to: (Education Code 48915, 49330; Penal Code 626.10, 16100-17360, 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 3-1/2 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 16000-34370, 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 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

Ed. Code 35291

Description

[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

20 USC 6301-8961

Description

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

CSBA Publication

Description

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](#)

0450

[Comprehensive Safety Plan](#)

1313

[Civility](#)

3515

[Campus Security](#)

3515

[Campus Security](#)

3515.3

[District Police/Security Department](#)

3515.3

[District Police/Security Department](#)

3515.31

[School Resource Officers](#)

3515.7

[Firearms On School Grounds](#)

3516.2

[Bomb Threats](#)

4158

[Employee Security](#)

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