

LODI UNIFIED SCHOOL DISTRICT

Policy 5131.7

Students

Weapons and Dangerous Instruments

The Board of Education recognizes that students and staff have the right to a safe and secure campus free from psychological and physical harm and desires to protect them from the dangers presented by firearms and other weapons.

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, at school-related or school-sponsored activities away from school, or while going to or coming from school.

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.

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.

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.

Advance Permission for Possession of a Weapon for Educational Use

The parent/guardian of a student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall, at least five school days in advance of the planned possession, submit a written request to the principal which explains the planned use of the weapon and the duration. The student shall also submit a written explanation from the staff person responsible for the school-sponsored activity or class.

The principal may grant permission for such possession when he/she determines that it is necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, he/she shall provide the student and staff person with a written explanation regarding any limitations and the permissible duration of the student's possession.

When the principal or designee grants permission, he/she shall take all necessary precautions to ensure the safety of all persons on school grounds, including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any weapon allowed shall be stored in a locked vehicle or in an appropriate, locked container before and after its authorized use.

A student granted permission to possess a weapon may be suspended and/or expelled if he/she possesses or uses the weapon inappropriately.

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.

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 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.

Legal References: 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 Switchblade knife
16100-17350 Definitions
22810-23025 Tear gas weapon (pepper spray)
25200-25225 Firearms, access to children
30310 Prohibition against ammunition on school grounds
UNITED STATES CODE, TITLE 20
6301-7941 No Child Left Behind Act, especially:
7151 Gun-Free Schools Act
Management Resources:
CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011
CALIFORNIA DEPARTMENT OF EDUCATION
COMMUNICATIONS
0401.01 Protecting Student Identification in Reporting Injurious Objects
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004
WEB SITES
CSBA: <http://www.csba.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>

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