

Weapons and Dangerous Instruments

The Solano County Office of Education (SCOE) desires students and staff to be free from the dangers presented by firearms and other weapons and recognizes that they have the right to a safe and secure campus free from psychological and physical harm.

Definitions

Prohibited weapons and dangerous instruments include, but are not limited to:

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion
2. Knives, razor blades, and box cutters: any dirks, daggers, 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 2-1/2 inches; folding knives with a blade that locks into place; and razors with an unguarded blade
3. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
4. 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
5. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 12020, 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
6. 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

Possession of Weapons

SCOE prohibits any person other than authorized law enforcement or security personnel from possessing weapons, imitation firearms, or dangerous instruments of any kind 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.

Any student who is determined to have brought a firearm to school, possessed a firearm at school, or threatened others with any weapon, dangerous instrument, or imitation firearm, as verified by a school employee, is subject to disciplinary action in accordance with law, SCOE policy, and administrative regulations.

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 employee may confiscate a weapon, dangerous instrument, or imitation firearm from any person not authorized to possess such items while the person is on school premises or under the authority of SCOE.

If an employee knows that a student possesses any of the above devices, s/he shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately

Policy 5131.7 (Continued)

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 or seizure 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 or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other dangerous weapon or instrument, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon.

The principal shall report any possession of a weapon or dangerous instrument, including imitation firearm, to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter. The principal shall also report the incident to the Superintendent or designee and the SCOE Public Information Officer.

Possession of Pepper Spray

SCOE recognizes that students age 16 or older may legally possess tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. However, 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

SCOE 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 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.

Legal Reference:

EDUCATION CODE

- 35291 Prescribing rules for discipline of the schools
- 48902 Notification of law enforcement authorities
- 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

Policy 5131.7 (Continued)

Legal Reference: (Continued)

UNITED STATES CODE, TITLE 20

6301-7941 No Child Left Behind Act; especially:
7151 Gun-Free Schools Act

Policy Cross-Reference:

0450 Comprehensive Safety Plan
3515.3 District Police/Security Department
4158 Employee Security
5116.1 Intradistrict Open Enrollment
5125 Student Records
5131 Conduct
5144 Discipline
5144.1 Suspension and Expulsion/Due Process
5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
5138 Conflict Resolution/Peer Mediation