

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 identity 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. As in all disciplinary cases, due process will be provided (see policies 5114 Suspension and expulsion and 5131 Conduct/discipline).

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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 board.

Implementation

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

Date: February 10, 1998

Legal References:

<u>N.J.S.A.</u> 2A:4A-60 <u>et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A.</u> 2C:33-18	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
<u>N.J.S.A.</u> 2C:33-19	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
<u>N.J.S.A.</u> 2C:39-1	Definitions
<u>N.J.S.A.</u> 2C:39-5	Unlawful possession of weapons
<u>N.J.S.A.</u> 2C:39-6	Exemptions
<u>N.J.S.A.</u> 18A:6-1	Corporal punishment of pupils
<u>N.J.S.A.</u> 18A:36-19.2	Student locker or other storage facility; inspections; notice to students
<u>N.J.S.A.</u> 18A:37-1	Submission of pupils to authority
<u>N.J.S.A.</u> 18A:37-2	Causes for suspension or expulsion of pupils
<u>N.J.S.A.</u> 18A:-37-2.1	Assaults by pupil upon teacher, administrator, board member or employee ... suspension; expulsion hearings
<u>N.J.S.A.</u> 18A:37-7 through -12	Zero Tolerance for Guns Act
<u>N.J.A.C.</u> 6:29-10.1 <u>et seq.</u>	Safe and drug free schools
<u>See particularly:</u> <u>N.J.A.C.</u> 6:29-10.2, -10.4(b), -10.5	

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Legal References (continued)

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)

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  
6172 Alternative educational programs