
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-lr. 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 superintendent. The superintendent 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 superintendent/designee and appropriate law enforcement officials with all known information concerning the matter, including the identity of the pupil involved.

The superintendent 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 I.E.P. 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).

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 or cell phone 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 directs the superintendent to develop regulations to implement this policy

Dated: August 28, 2002

Legal References:

<u>N.J.S.A.</u>	2A:4A-60 et al.	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A.</u>	2C:33-19	Paging devices, possession by students

<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...
<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 et seq	Safe and drug free schools
See particularly:		
<u>N.J.A.C.</u>	6:29-10.2, -10.4(b), -10.5	

P. L. 103-382, Improving America's School 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

