

Book Policy Manual

Section Series 5000 Students

Title Weapons and Dangerous Instruments

Code 5131.7

Status Active

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PITTSBGROVE TOWNSHIP BOARD OF EDUCATION
Pittsgrove, New Jersey

FILE CODE: 5131.7

Policy

X	Monitored
X	Mandated
X	Other Reasons

WEAPONS AND DANGEROUS INSTRUMENTS

The board of education prohibits the possession and/or use of firearms, other weapons, or instruments that can be used as weapons on 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 pupils, 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 pupil 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.

Assault by a pupil with a weapon on a teacher, administrator, board member or other employee of the board is strictly prohibited and shall result in the pupil's immediate removal from the general education program for a period not

exceeding one calendar year. Subject to a hearing before the board, the pupil shall be placed in an alternative education program.

The chief school administrator shall determine at the end of the year whether the pupil 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 pupils who possess, handle, transmit or use firearms, other weapons, or dangerous instruments. Classified pupils shall be disciplined in accordance with their IEP 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 pupil is found to be in possession of a firearm, other weapon, or dangerous instrument.

Remotely Activated Paging Devices (Beepers)

No pupil shall bring or possess a remotely activated paging device on any property used for school purposes without the written permission of the school board. Permission shall not be granted unless and until the pupil has established a reasonable basis for possessing the device.

Pupil members of a volunteer fire company or first aid, ambulance or rescue squad may carry remotely activated paging devices provided that:

- A. The pupil 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 pupil at all times while the pupil is in possession of the remotely activated paging device.

Implementation

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

Key Words

Weapons, Dangerous Instruments, Violence, Paging Devices, Beepers, Firearms

Legal

N.J.S.A. 2C 12-1: Assault.

N.J.S.A. 2C 33-19: Possession of remotely activated paging devices on school property, disorderly persons offense; exemptions

N.J.S.A. 2C 39-1: Definitions.

N.J.S.A. 2C 39-5: Unlawful possession of weapons.

N.J.S.A. 2C 39-6: Exemptions

N.J.S.A. 18A 6-1: Corporal punishment of pupils

N.J.S.A. 18A 36-19.2 School locker inspection

N.J.S.A. 18A 37-1 Submission of pupils to authority

N.J.S.A. 18A 37-2 et seq: Causes for suspension, expulsion of pupils.

N.J.S.A. 18A 37-2.1: Suspension, expulsion of pupil for assault, appeal; report

N.J.S.A. 18A 37-2.2 Offense by pupil involving assault, removal from school's regular education program

N.J.S.A. 18A 37-7 et seq Zero Tolerance for Guns Act

N.J.A.C. 6A 14-2.8 Discipline/suspension/expulsions

N.J.A.C. 6A 16-1.1 et seq Purpose

N.J.A.C. 6A 16-1.3 Definitions

N.J.A.C. 6A 16-5.2 Violence awareness

N.J.A.C. 6A 16-5.5 Removal of students for firearms offenses

N.J.A.C. 6A 16-5.6 Removal of students for assaults with weapons offenses

N.J.A.C. 6A 16-6.1 Adoption of policies and procedures

N.J.A.C. 6A 16-6.2 Development and implementation of policies and procedures

N.J.A.C. 6A 16-6.3 Reporting students or staff members to law enforcement authorities

20 U.S.C. 6301 et seq Every Student Succeeds Act (Formerly NCLB)

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

New Jersey v. T.L.O.