

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION****Students
WEAPONS AND DANGEROUS INSTRUMENTS**

The County Superintendent and County Board recognize that students and staff have the right to a safe and secure campus, free from physical and psychological harm, and desire to protect them from the dangers presented by firearms and other weapons.

Possession of Weapons

The County Superintendent and County Board prohibit any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in County Superintendent/County Board school buildings, on such school grounds or buses, at school-related or school-sponsored activities away from such schools, or while going to or coming from such schools.

If a student is in possession of a prohibited weapon, imitation firearm, or dangerous instrument, as specified in Superintendent Administrative Regulation 5131.7, which creates a threat or perceived threat of a homicidal act, any County Superintendent employee or other County Superintendent/County Board school official who is alerted to or observes such threat shall immediately report the threat to law enforcement. (Education Code 49380, 49393)

Under the power granted to the County Superintendent and County Board to protect the safety of students, staff, and others on County Board-owned property and to maintain order and discipline in the County Superintendent-operated schools, any County Superintendent employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on such school grounds.

The lead site administrator 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. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7961)

Unless a student 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, County Superintendent/County Board policy, and administrative regulations.

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 County Superintendent and County Board encourage students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**

identity of a student who reports such activity shall remain confidential to the extent permitted by law.

The County 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 County 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.

Adopted: 03/21/2013

Amended: 10/15/2020, 04/20/2023

Legal ReferenceEducation Code

48900 Grounds for suspension/expulsion

48902 Notification of law enforcement authorities

48915 Required recommendation for expulsions

48916 Readmission

49330-49335 Injurious objects

49380 Creation of school safety plan

49393 Report to law enforcement by school official of threat or perceived threat

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

7691 Gun-Free Schools Act

Management ResourcesCSBA Publications

Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION

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,
November 2018

Websites

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools:

<https://www.cde.ca.gov/ls/ss/#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>