

**Policy**

WEAPONS AND DANGEROUS INSTRUMENTS

The Mount Laurel Township School District 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 term includes, but is not limited to, all:

- A. Firearms, even though not loaded or lacking a clip or other component to render them immediately operable;
- B. Components which can be readily assembled into a weapon;
- C. Gravity knives, switchblade knives, daggers, dirks, stilettos, or other dangerous knives, billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood; and
- D. Stun guns; and
- E. Any weapon or other device which projects, releases, or emits tear gas or any other substance intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.

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. In all cases the pupil will be immediately referred to the child study team and not be permitted to return to school pending a psychological evaluation.

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

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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 chief school administrator or his or her designee. 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.

Adopted: April 28, 1998  
 Revised: May 24, 2005  
 NJSBA Review/Update: June 2013  
 Readopted: January 28, 2014

Key Words

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

<b>Legal References:</b> <u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A. 2C:12-1</u>	Definition of assault
<u>N.J.S.A. 2C:33-19</u>	Paging devices, possession by pupils
<u>N.J.S.A. 2C:39-1</u>	Definitions
<u>N.J.S.A. 2C:39-5</u>	Unlawful possession of weapons
<u>N.J.S.A. 2C:39-6</u>	Exemptions
<u>N.J.S.A. 18A:6-1</u>	Corporal punishment of pupils
<u>N.J.S.A. 18A:36-19.2</u>	Pupil locker or other storage facility; inspections; notice to pupils
<u>N.J.S.A. 18A:37-1</u>	Submission of pupils to authority

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<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 through -2.5	Assaults by pupil upon teacher, administrator, board member or employee of board of education; suspension; expulsion proceedings ...
<u>N.J.S.A.</u> 18A:37-7 through -12	<u>Zero Tolerance for Guns Act</u>
<u>N.J.A.C.</u> 6A:14-2.8	Discipline/suspension/expulsion
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Pupil Development
See particularly: <u>N.J.A.C.</u> 6A:16-1.3, -1.4, -5.2, -5.4, -5.5, -5.6, -6.1, -6.2, -6.3(b), -6.4	

P.L. 103-382, Improving America's Schools Act of 1994 Section 1702, Prohibits  
possession or discharge of a firearm in a school zone,

Pub. L. 101-647

Attorney General's Executive Directive No. 1988-1, Memorandum of Agreement  
(revised, amended)

State in re T.L.O., 94 N.J. 331 (1983), reversed on other grounds, New Jersey v.  
T.L.O., 569 U.S. 325 (1985).

See also Commissioners' Decisions indexed under "Pupils – Punishment of" in Index  
to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)

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

**Possible**

**Cross References:**

*5114	Suspension and expulsion
*5131	Conduct/discipline
*5131.1	Harassment, intimidation and bullying
*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

\*Indicates policy is included in the Critical Policy Reference Manual.