8467. FIREARMS AND WEAPONS (M)

A. Definitions – N.J.A.C. 6A:16-1.3

1. "Weapon" means items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f).

2. "Firearm" means items enumerated in N.J.S.A. 2C:39-1(f) and 18 USC §921.

3. "School grounds" means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider. School grounds also includes school buses, school-sponsored functions, structures that support the buildings, such as school district wastewater treatment facilities; generating facilities; and other central service facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by municipalities, private entities, or other individuals during times when the school district has exclusive use of a portion of the land.

B. Reporting to Law Enforcement – N.J.A.C. 6A:16-6.3

1. Whenever a school employee develops reason to believe a firearm, as defined in N.J.S.A. 2C:39-1(f) and 18 USC §921, or other deadly weapon, whether enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 USC §921, has unlawfully been brought onto school grounds or a student or other person is in unlawful possession of a firearm or other deadly weapon on or off school grounds, or a student or other person has committed an offense with or while in possession of a firearm on or off school grounds or during school operating hours, the matter shall be reported as soon as possible to the Principal or designee, or in the absence of the Principal or designee, to the staff member responsible at the time of the alleged violation.

   a. Either the Principal or designee or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the county prosecutor or other law enforcement official designated by the county prosecutor to receive such information.

b. The Superintendent or designee shall provide to the county prosecutor or designee all known information concerning the matter, including the identity of the student or staff member involved.

c. All incidents shall be reported under N.J.A.C. 6A:16-6.3 utilizing the Student Safety Data System, pursuant to N.J.A.C. 6A:16-5.3(e)1, where appropriate.

C. Handling of Firearms and Dangerous Weapons – N.J.A.C. 6A:16-6.4

1. In accordance with N.J.A.C. 6A:16-6.4(b), whenever a school employee seizes or comes upon a firearm or dangerous weapon, school officials shall:

a. In the case of a firearm, immediately advise the county prosecutor or appropriate law enforcement official, and secure the firearm pending the response by law enforcement to retrieve and take custody of the firearm; and

b. In the case of a dangerous weapon other than a firearm, immediately advise the county prosecutor or appropriate law enforcement official, and secure the dangerous weapon pending the response by law enforcement to retrieve and take custody of the dangerous weapon.

2. School employees in custody of a firearm or dangerous weapon shall take reasonable precautions, according to Board procedures, to prevent the theft, destruction, or unlawful use of the firearm or dangerous weapon by any person, pursuant to N.J.A.C. 6A:16-6.4(c).

a. The Principal shall place the firearm or dangerous weapon in a secure and locked location.

b. In the event any person other than the Principal is permitted access to the firearm or dangerous weapon prior to its retrieval by a law enforcement official, that person shall enter their name and signature on the record along with the time and date of inspection and the reason for the access. Access to the firearm or dangerous weapon will be permitted only in the presence of the Principal.

c. The law enforcement official who takes custody of the firearm or dangerous weapon shall be required to sign and date the record to indicate their receipt of the firearm or dangerous weapon.

3. The Principal shall provide to the law enforcement official who takes custody of the firearm or dangerous weapon:

   a. All information concerning the manner in which the firearm or dangerous weapon was confiscated;

   b. The identity of all persons who had custody of the firearm or dangerous weapon following its confiscation; and

   c. The identity of any student or staff member believed to have been in possession of the firearm or dangerous weapon.

4. Any person employed or engaged in a school or educational institution may, within the scope of their employment, use and apply such amounts of force as is reasonable or necessary to obtain possession of weapons or other dangerous objects upon the person or within the control of a student, pursuant to N.J.S.A. 18A:6-1.

Adopted: December 19, 2024: