Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 5131.7 Adopted : 12/12/1989 Revised : 10/25/2005 Revised : 08/11/2009 Reviewed : 06/03/2024

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 chief school administrator 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 chief school administrator /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 chief school administrator 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 chief school administrator /designee immediately. The chief school administrator shall immediately inform appropriate law enforcement officials with all known information concerning the matter, including the identity of the pupil involved.

Assault by a student with a weapon on a teacher, administrator, board member or other employee of the board is strictly prohibited and shall result in the student’s immediate removal from the general education program for a period not exceeding one calendar year. Subject to a hearing before the board, the student shall be placed in an alternative education program.

The chief school administrator 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 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 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 on any property used for school purposes without the written permission of the chief school administrator. Permission shall not be granted unless and until the student has established a reasonable basis for possessing the device.

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 chief school administrator to develop regulations to implement this policy.

Key Words

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

Legal References:	N.J.S.A. 2A:4A-60 et al.	Disclosure of juvenile information; penalties for disclosure
	N.J.S.A. 2C:12-1	Definition of assault
	N.J.S.A. 2C:33-19	Paging devices, possession by students
	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	Student locker or other storage facility; inspections; notice to students
	N.J.S.A. 18A:37-1	Submission of pupils to authority
	N.J.S.A. 18A:37-2	Causes for suspension or expulsion of pupils
	N.J.S.A. 18A:37-2.1 through –2.5	Assaults by pupil upon teacher, administrator, board member or employee of board of education; suspension; expulsion proceedings
	N.J.S.A. 18A:37-7 through –12	Zero Tolerance for Guns Act
	N.J.A.C. 6A:14-2.8	Discipline/suspension/expulsion
	N.J.A.C. 6A:16-1.1et seq.	Programs to Support Student Development
	See particularly: N.J.A.C. 6A:16-1.3, -1.4, -5.2, -5.4, -5.5, -5.6, -6.1,	

-6.2, -6.3(b),

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 Interest of T.L.O., 94 N.J. 331, 346 (1983), rev'd 515 U.S. 646 (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 (2007 Revisions)

Possible 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

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

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