

# Policy

## Board of Education Nutley

### OPERATIONS

#### WEAPONS

The Board of Education prohibits the possession, use, or exchange of any weapon in any school building, on school grounds, at any school sponsored event, and on school sanctioned transportation except as the possession and use of a weapon is authorized by law and required in the performance of the possessor's duty.

For the purpose of this policy, "weapon" means anything readily capable of lethal use or of inflicting serious bodily injury. "Weapon" includes, but is not limited to, all firearms, knives, dangerous instruments intended to inflict harm, components that can be readily assembled into a weapon, explosive devices, and imitation firearms. For the purposes of this policy "firearm" means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.

Any pupil or school employee who has reasonable grounds to suspect the presence of a weapon prohibited by this policy shall immediately report his or her suspicion to the building principal or designee. The building principal or designee shall conduct an appropriate search in accordance with Policy No. 531 (5770) and confiscate any weapon discovered in the course of the search. He or she shall, if appropriate and feasible, summon the aid of law enforcement officers in the conduct of the search. Any school employee who confirms the presence of a weapon under circumstances that place persons at serious risk may confiscate the weapon immediately and may use such force as is reasonable and necessary to obtain possession.

Unless the weapon has been taken into custody by a law enforcement officer, the building principal or designee shall immediately store any confiscated weapon in a securely locked box or container and report the presence of the weapon to the Superintendent. The Superintendent shall promptly notify, by telephone call and by letter, the Chief of Police of the Township of Nutley that a weapon is present on school premises; the notice shall request removal of the weapon by an authorized law enforcement officer. The Superintendent shall obtain and file a receipt for any weapon removed by a law enforcement officer.

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Any pupil who possesses, uses, or exchanges a weapon in violation of this policy shall be subject to stringent discipline, which may include expulsion. Any pupil or school employee who suspects or knows of the presence of a weapon in violation of this policy shall report this to the building principal immediately. Any person who possesses a weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.

Any pupil who is convicted or is an adjudicated delinquent for possession of a firearm or who is found to be in possession of a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. Pupils convicted or found to be delinquent for possessing a firearm on school property, on a school bus, or at a school-sponsored function or committing a crime while possessing a firearm shall be immediately removed from the regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil. (Chapters 128 of 1995, The Zero Tolerance for Guns Act)

Any pupil who commits an assault upon members of the school community with a weapon other than a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. (Chapters 129 of 1995, The Zero Tolerance for Guns Act)

A pupil with disabilities who exhibits dangerous or violent behavior with a weapon other than a firearm, may be removed immediately from the school setting. The building principal may suspend the pupil for up to ten school days without involvement of the child study team.

1. If the pupil's misconduct is determined by the child study team not to be primarily caused by the pupil's disability, the pupil may be removed, expelled, or suspended from the school for more than ten school days following applicable due process procedures. However, the district may not cease educational services.

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2. If the pupil's misconduct is determined by the child study team to be primarily caused by the pupil's disability, the pupil may not be expelled or suspended from school for more than ten school days. However, the school district may change the pupil's placement if it believes that maintaining the pupil in the current educational placement is inappropriate.

Any pupil requiring removal from the regular education program for the reasons enumerated above shall be removed in accordance with Policy and Regulation 545 5450R (5611).

The Superintendent, or designee, shall prepare regulations to implement this Policy for the guidance of school staff in dealing with incidents involving weapons in the school district.

N.J.S.A. 2C:39-1 et seq.; 2C:58-6.1; 2C:58-15

N.J.S.A. 18A:6-1

N.J.S.A. 23:4-16

Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act

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

18 U.S.C. 921