Book	Policy Manual
Section	200 Pupils
Title	Weapons
Code	213
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Purpose

The Board recognizes the critical importance of a safe school environment. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law. Possession of lookalike items and self-defense items in the school setting are also prohibited. Furthermore, possession of tools, items, or implements capable of inflicting serious bodily injury to others, and are not connected to the educational program, are also prohibited.

Definitions

Weapon: Pursuant to the Public School Code, shall include, but not be limited to, any knife, cutting instrument, cutting tool, explosive, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury. When determining whether an object is a weapon, schools must consider what the object is practically and functionally intended to do. The manner in which a student uses an object does not convert an otherwise non-weapon into a weapon.[1][2]

Lookalike item: Any imitation of a knife, cutting instrument or tool, nunchaku, firearm, shotgun, or rifle.

Self-Defense item: A tool, instrument or implement which can be carried on one's person and is manufactured or commonly intended to be used for the primary purpose of self-protection. Examples include but are not limited to pepper spray, self-defense keychains, self-defense rings, tactical pens or flashlights, and kubatons. Self-defense items may be considered weapons capable of inflicting serious bodily injury if they are either used or threatened to be used, as further defined below:

1. A self-defense item is **threatened to be used** when a student is in possession of the item and is a direct threat to the bodily safety of another person.

2. A self-defense item is **used** when a student employs the item, intentionally or unintentionally, which results in injury of another person.

Other items: items that do not meet the definition of a weapon, lookalike item, or self-defense item, but nonetheless represent an object capable of inflicting bodily injury.

Superintendent's designee: For purposes of this policy, the Superintendent's designee is the Assistant Superintendent for Student Support Services.

Authority

A student commits an offense under this policy if the student is in possession of a weapon on school property, while traveling to or from school, or at a school event. Weapons, lookalike items, self-defense items, and other items that can inflict bodily harm are prohibited.

Possession of an article which otherwise would be a weapon is justified only when the article is used in conjunction with a lawful, school supervised course, program or activity.

Delegation of Responsibility

The Superintendent or designee shall react promptly to information and knowledge concerning weapons on school property. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.[3][4]

The Superintendent or designee shall immediately report the discovery of any weapon prohibited by this policy to local law enforcement officials and inform the student's parent/guardian.[2][3][5][6][7]

Reporting

The Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the Office of Safe Schools on the required form in accordance with state law and regulation.[5]

Possession of a weapon in violation of this policy shall be reported to the Office of Safe Schools on the required form at least once each year.

~~On at least an annual basis, school principals shall educate parents/guardians and students about what is and what is not permitted to be brought to school.~~

Parental Report - Direct Involvement -

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving weapons as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[11]**[12]**[18][20]

Additional Parental and Employee Notifications -

The Superintendent or designee shall, in accordance with applicable law, ensure notification of an incident involving possession of a weapon on school property, at a school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, to employees and parents/guardians of students, as follows:[12][21]

1. Incident occurring at a school building - Notification to parents/guardians of students enrolled in or attending that school building and school employees assigned to that

building.

2. Incident occurring at a school building that shares a campus with other school buildings - Notification to parents/guardians of students enrolled or attending and school employees assigned to any building on the shared campus.

3. Incident occurring at a school-sponsored activity or on a public conveyance providing transportation to or from a school or school-sponsored activity - Notification to the appropriate population of parents/guardians and school employees. Notification is not required if the incident is not directly related to the school-sponsored activity or the students or staff involved in the activity.

Such notification(s) must occur within twenty-four (24) hours of the incident using a method of communication likely to reach designated parents/guardians and employees, unless the circumstances of the incident necessitate otherwise.[12]

Administrative Regulations

The Superintendent or designee shall develop and maintain administrative regulations to implement this policy which address:

1. Guidelines the Superintendent or designee must follow when recommending modification of the statutory one-year exclusion requirement for weapons;

2. Recommended school response for possession of lookalike items;

3. Recommended school response for possession of self-defense items;

4. Recommended school response when student has threatened or used a self-defense item;

5. Guidelines for handling weapons violations by students with disabilities; and

6. Timelines and expectations relating to the education of parents/guardians and students on items that are prohibited at school.

Guidelines

Students, staff and parents/guardians shall be informed at least annually concerning this policy.

Exclusion from School for Possession of Weapons -

The penalty for possession of weapons under this policy shall include expulsion from school for a period of not less than one (1) year. The Superintendent or designee may recommend modifications of such exclusion requirements for students on a case-by-case basis. Exclusions from school shall be conducted pursuant to all applicable state and federal laws and regulations, including the right to a formal hearing and appeal. The Superintendent or designee shall, in the case of students with disabilities, take all steps necessary to comply with the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) For students with IEPs who have positive behavior support plans, an updated functional behavior assessment and positive behavior support plan are required subsequent to a referral to local law enforcement.[8] [9][10]

Elementary (K-5) Clemency for the Possession of Weapons -

In cases involving Kindergarten through Grade 5, the recommendation of the Superintendent or designee as well as the Discipline Hearing Officer will be to grant elementary clemency. After serving any suspension up to ten (10) school days, the student will be immediately returned to the school they attended prior to the exclusion from school.

Lookalike Items -

When a lookalike item or other item is used by a student as a weapon, the student may be charged with the appropriate infraction from the policy or procedure governing student conduct (e.g., the Student Code of Conduct). In these circumstances, the student may not be charged with a weapons violation pursuant to the School Code. Schools shall consult with the Office of Student Support Services on any lookalike item prior to issuing a disciplinary consequence to the student involved.

Self-Defense Items -

Self-defense items may be considered weapons capable of inflicting serious bodily injury if they are either used or threatened to be used, as defined in this policy. Schools shall consult with the Office of Student Support Services on any self-defense item prior to classifying a self-defense item as a weapon and recommending exclusion beyond ten (10) school days. Mere possession of self-defense items shall not subject a student to exclusion for up to one (1) school year.

K-12 Clemency for Self-Defense Items -

The District recognizes that students and families may believe there is a need for the child to carry a self-defense item. While the District does not permit self-defense items on school property, the Board understands the practical need for them in certain circumstances. As such, if a self-defense item is possessed by a student, it will be confiscated. A student will not be charged with a weapons violation unless a student has used or threatened to use the self_defense item against another individual.

K-12 Clemency for Weapons Found and Surrendered Upon Entry into School -

Certain items (e.g., box cutters, kitchen knives) that are mistakenly brought into school but surrendered to staff immediately upon the student entering school are subject to clemency. A discipline hearing before the assigned Hearing Officer will be scheduled wherein the administrator will recommend clemency and provide the reasons supporting this recommendation.

Administrators must confer with Student Services through completion of a discipline packet.

Transfer Students -

When the District receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the District may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.[2][11]

Legal

1. 24 P.S. 1301-A
2. 24 P.S. 1317.2
3. 24 P.S. 1302.1-A

4. Pol. 805
5. 24 P.S. 1303-A
6. 22 PA Code 10.2
7. 22 PA Code 10.21
8. 22 PA Code 14.133
9. 22 PA Code 711.46
10. 20 U.S.C. 1400 et seq
11. Pol. 200
12. 24 P.S 1303.2-A

~~11.~~

24 P.S. 1302-E
22 PA Code 10.23
22 PA Code 10.25
22 PA Code 403.1
18 Pa. C.S.A. 912
18 U.S.C. 921
18 U.S.C. 922
20 U.S.C. 7114
20 U.S.C. 7961
34 CFR Part 300
Pol. 102.1
Pol. 108
Pol. 212
Pol. 218
Pol. 236
Pol. 817
Pol. 904