# Policy Guide

**POLICY NO. 250 WEAPONS**

## Section 1 Purpose

The Board recognizes the 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.

## Section 2 Definitions

**Weapon** – the term shall include, but not be limited to any knife; cutting instrument; cutting tool; impact tool or weapon; firearm, shotgun, rifle; explosive devices (including ammunition); noxious chemicals; and/or any other tool, instrument or implement or a replica or facsimiles of these capable of inflicting serious bodily injury or serious disruption to the educational setting.

**Possessing** – A student is in possession of a weapon when the weapon is found on the person of the student; in the student’s locker; or under the student’s control while on school property, on property being used by the school, at any school function or activity, at any school event held away from the school, or while the student is coming to or from school.

## Section 3 Authority

Students are prohibited from possessing and/or bringing onto school property, onto a school conveyance providing transportation, and/or to any school sponsored activity, any weapon or replica of weapons.

SC 1301-A, 1317.2

SC 1317.2
POLICY NO. 250 WEAPONS

The school district shall expel for a period of not less than one (1) year any student who violates this Weapons Policy. Such expulsion shall be given in conformance with formal due process proceedings required by law. The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.

In the case of a student with a disability, including a student for whom an evaluation is pending, the District in collaboration with the Solicitor shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies while ensuring that the safety of all students and personnel is of the utmost importance.

Section 4  Delegation of Responsibility

The Superintendent or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with local law enforcement officials and the district’s emergency preparedness plan.

The Superintendent or designee shall be responsible to develop a memorandum of understanding with local law enforcement officials that sets forth procedures to be followed when an incident occurs involving an act of violence or possession of a weapon by any person on school property.

Section 5  Guidelines

The Superintendent or designee shall immediately report incidents involving weapons on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity or while the student is coming to or from school to the local police department that has jurisdiction over the school’s property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.
**POLICY NO. 250 WEAPONS**

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 practical. The Superintendent or designee shall inform the parent/guardian that the local police department that has jurisdiction over the school property has been notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.

Within ten (10) school days, the Superintendent will decide if the item which the student brought onto school property, or of which he/she was in possession, is a “weapon” as defined herein. If so, the student will be brought before the Board for an expulsion hearing, at which time the Superintendent may, if he/she deems it appropriate under the circumstances, recommend an alternative disciplinary response to the otherwise mandatory one-year expulsion.

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the Office for Safe Schools on the required form.

Any school employee who has reasonable suspicion that a student is in violation of this policy shall immediately inform the building principal, who will conduct the complete investigation. The principal must notify the Superintendent, make every effort to contact the parent/guardian (documenting attempts) as soon as possible, and if deemed appropriate, summon local law enforcement officials.

Upon just cause for suspicion of possession of a weapon, the principal will request the student to volunteer to be searched or have his/her locker searched by a school official in the presence of a witness. All student searches will be in accordance with Board policy.

If a student is found in violation of this policy, the student shall:

1. Receive a ten (10) day out-of-school suspension.

2. Be given the opportunity to attend an informal hearing with the principal, unless this provision is waived by the parent/guardian during the ten-day suspension.
## POLICY NO. 250 WEAPONS

Formal due process proceedings before the Board regarding expulsion shall be scheduled in cases where the Administration is recommending expulsion.

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

An exception to this policy may be made by the Superintendent, who shall prescribe special conditions or procedures to be followed.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in, on, or within 1,000 feet of school grounds is prohibited. Violations shall be reported to the appropriate law enforcement agency.

### Transfer Students

When the school 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.

The Administration shall request a certified copy of the student’s disciplinary record from the school of last enrollment and shall delay the entrance of the student until such documentation is provided.

Upon finding that a newly enrolled student is presently expelled from any private or public school for an act or offense involving a weapon, the Administration shall assign the student to an assignment other than what would have been his/her “regular” educational assignment, or provide alternative education services. Under no circumstances may the alternative assignment exceed the period of expulsion imposed by the private school or other public school. Written notice of the alternative assignment or the alternative education services shall be provided to the parent of the student within a reasonable time period. The Administration shall advise the student and his/her parents that he/she shall not be permitted to participate in the regular educational programs of the Keystone Oaks School District (including its extracurricular programs) until the
POLICY NO. 250 WEAPONS

remainder of the period of the suspension has elapsed. During the remainder of the period of suspension, however, the student shall be provided the opportunity to make up any schoolwork assigned by Keystone Oaks personnel during the remainder of the period of the suspension.

Upon finding that a newly enrolled student is presently expelled from any private or public school for an offense other than a weapons offense, the Administration shall advise the Board of School Directors. The decision of whether to require the student to continue to serve the remainder of the expulsion by the other school entity shall be made by the Board of School Directors, or a duly designated Committee thereof, following a hearing held solely for the purpose of determining the legitimacy of continuing the expulsion. At such a hearing, the expulsion shall be presumed to be a valid disciplinary action which may be rebutted by the student and/or his/her parents/guardians only by clear and convincing evidence.

a. At such a hearing, the prior determination of guilt by another school entity will be binding on the Board of School Directors and shall not be subject to questions. Parents are estopped from challenging the student’s guilt.

b. The student shall be required to serve the remainder of the expulsion where the student’s guilt is established (by prior record information from the former school entity) and the Keystone Oaks Board of School Directors (or a Committee thereof) determines that expulsion is the appropriate punishment.

Nothing set forth herein shall impact upon the rights, if any, of special needs students in this situation.
POLICY NO. 250 WEAPONS

References:


State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.23, 10.25, 403.1

Possession of Weapon on School Property – 18 Pa. C.S.A. Sec 912

Gun Control Act – 18 U.S.C. Sec. 921, 922


No Child Left Behind Act – 20 U.S.C. Sec. 7114

Gun-Free Schools Act – 20 U.S.C. Sec. 7151

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300

Board Policy – 113.1, 218, 233, 805, 825