

Book	Policy Manual
Section	200 Pupils
Title	Weapons
Code	218.1 Vol III 2021
Status	Second Reading
Last Revised	November 22, 2101

Purpose

The Joint Operating Committee recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.

Definitions

Weapon - the term shall include but **is** not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.[1][2]

Possession - 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 assigned storage area, or** under the student's control while on center (school) property, on property being used by the center (school), at any center (school) function or activity, at any center (school) event held away from the center (school), or while the student is coming to or from the center (school).

Authority

The Joint Operating Committee prohibits students from possessing and bringing weapons and replicas of weapons into any center (school) buildings, onto center (school) property, to any center (school)-sponsored activity, and onto any vehicle providing transportation to **or from** the center (school) or a center (school)-sponsored activity, or while the student is coming to or from the center (school).[2][3][4]

The Joint Operating Committee shall, in coordination with the school district of residence, 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 **and Joint Operating Committee policy**. [2][5][6]

The Administrative Director may recommend modifications of such expulsion requirement on a case-by-case basis.[2]

In the case of a student with a disability, including a student for whom an evaluation is pending, the center (school) 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 Joint Operating Committee policies.[2][5][7][8][9][10][11]

Delegation of Responsibility

The Administrative Director 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 center (school)'s emergency preparedness plan.[11][12][13]

When the behavior of a student in possession of a weapon indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, staff shall report the student to the threat assessment team, in accordance with applicable law and Joint Operating Committee policy.[14][15]

Guidelines

The Administrative Director or designee shall immediately report incidents involving weapons on center (school) property, at any center (school)-sponsored activity or on a conveyance providing transportation to or from the center (school) or a center (school)-sponsored activity to the local police department that has jurisdiction over the center (school)'s property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[2][11][12][16][17][18]

The Administrative Director 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 Administrative Director or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the center (school) property has been or may be notified of the incident. The Administrative Director or designee shall document attempts made to reach the parent/guardian.[11][16][19]

In accordance with state law, the Administrative Director shall annually, by July 31, report all incidents involving **possession of a** weapon to the Office for Safe Schools on the required form.[11][18]

The building administrator shall annually inform staff, students and parents/guardians about the Joint Operating Committee policy prohibiting weapons and about their personal responsibility for the health, safety and welfare of the center (school) community.

An exception to this policy may be made by the Administrative Director, who shall prescribe special conditions or procedures to be followed.[2]

{X} In accordance with federal law, 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.[20][21]

Transfer Students

When the center (school) receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the center (school) may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed

the expulsion period.[\[2\]](#)

NOTES:

Gun-Free School Zone Act was found unconstitutional – change language to read “In accordance with federal law, . . .” and keep cites to 18 U.S.C. Sec. 921, 922.

The “replica of a weapon” language in the policy definition of “weapon” is not included in School Code 1301-A or 1317.2; it was included because PSBA and solicitors agree that school entities may define “weapon” through policy based on their needs—that language was included as a recommendation from a school safety standpoint, since it is often difficult to tell whether a weapon, particularly a gun, is real or a model.

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Legal	1. 24 P.S. 1301-A
	2. 24 P.S. 1317.2
	3. 24 P.S. 1850.1
	4. Pol. 218
	5. Pol. 113.1
	6. Pol. 233
	7. 20 U.S.C. 1400 et seq
	8. 22 PA Code 10.23
	9. Pol. 103.1
	10. Pol. 113.2
	11. Pol. 805.1
	12. 24 P.S. 1302.1-A
	13. Pol. 805
	14. 24 P.S. 1302-E
	15. Pol. 236.1
	16. 22 PA Code 10.2
	17. 22 PA Code 10.21
	18. 24 P.S. 1303-A
	19. 22 PA Code 10.25
	20. 18 U.S.C. 921
	21. 18 U.S.C. 922
	22 PA Code 403.1
	20 U.S.C. 7114
	20 U.S.C. 7961
	34 CFR Part 300
	18 Pa. C.S.A. 912