

BRANDYWINE HEIGHTS AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: WEAPONS

ADOPTED: June 28, 2004

REVISED: September 14, 2015

218.1. WEAPONS	
<p>1. Purpose</p>	<p>The Board 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.</p>
<p>2. Definitions SC 1317.2 Title 18 Sec. 921</p>	<p>Weapon should include, but not be limited to, loaded or unloaded firearm (including any pellet guns, B.B. guns and look-alike firearms); a knife, metal knuckles or artificial knuckles or any kind, cutting instrument, cutting tool, nunchaku stick, straight razor, explosives, firecrackers, noxious, irritating or poisonous gases, poisons, slingshot, and any other tool, instrument, implement or chemical capable of inflicting serious bodily injury or death.</p> <p>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; 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.</p>
<p>3. Authority SC 1317.2</p>	<p>The Board prohibits students from possessing and bringing weapons and replicas of weapons into any school district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to school or a school-sponsored activity.</p>
<p>SC 1317.2 Pol. 233</p>	<p>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.</p>
<p>4. Delegation of Responsibility SC 1317.2 Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2, 805.1</p>	<p>In the case of a student with a disability, including a student for whom an evaluation is pending, the district 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.</p>
<p>SC 1302.1-A Pol. 805, 805.1</p>	<p>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.</p>

<p>5. Guidelines SC 1302.1-A, 1303-A, 1317.2 Title 22 Sec. 10.2, 10.21 Pol. 805.1</p>	<p>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 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.</p>
<p>SC 1303-A</p>	<p>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.</p>
<p>SC 1303-A</p>	<p>Acts of violence or 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.</p> <p>Students, staff and parents/guardians shall be informed at least annually concerning this policy.</p>
<p>SC 1317.2</p>	<p>The Superintendent may authorize other persons to possess weapons in school buildings. The Superintendent may prescribe special conditions or procedures to be followed before giving such authorization.</p> <p>Weapons under the control of law enforcement personnel are permitted.</p> <p>The following exceptions shall apply:</p> <ol style="list-style-type: none"> 1. A weapon being used as part of a program approved by a school by an individual who is participating in the program. 2. A weapon that is unloaded and is possessed by an individual while traversing school property for the purpose of obtaining access to public or private lands used for lawful hunting, if the entry on school premises is authorized by school authorities.
<p>SC 1317.2</p>	<p><u>Transfer Students</u></p> <p>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.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1301-A, 1302.1-A, 1303-A, 1317.2</p> <p>State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.23, 10.25, 403.1</p>

	<p>Possession of Weapon on School Property – 18 Pa. C.S.A. Sec. 912</p> <p>Gun Control Act – 18 U.S.C. Sec. 921, 922</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 7114</p> <p>Gun-Free Schools Act – 20 U.S.C. Sec. 7151</p> <p>Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Board Policy – 103.1, 113.1, 113.2, 218, 233, 805, 805.1</p> <p>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.</p>
--	---