

EPHRATA AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: WEAPONS

ADOPTED: April 25, 2005

REVISED: November 15, 2021

| 218.1. WEAPONS | |
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| <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 24 P.S. 1301-A, 1317.2</p> | <p>Weapon - the term shall include but is not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm or guns, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.</p> <p>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 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 24 P.S. 1317.2 Pol. 218</p> | <p>The Board prohibits students from possessing and bringing weapons and replicas of weapons into any district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to or from school or a school-sponsored activity, or while the student is coming to or from school.</p> |
| <p>24 P.S. 1317.2 Pol. 113.1, 233</p> | <p>The Board 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 and Board policy.</p> |
| <p>24 P.S. 1317.2</p> | <p>The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.</p> |
| <p>20 U.S.C. 1400 et seq 22 PA Code 10.23 24 P.S. 1317.2 Pol. 103.1, 113.1, 113.2, 113.3, 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> |

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| <p>4. Delegation of Responsibility 24 P.S. 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>Pol. 113.1, 233</p> | <p>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, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.</p> |
| <p>5. Guidelines 22 PA Code 10.2, 10.21 24 P.S. 1302.1-A, 1303-A, 1317.2 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>22 PA Code 10.2, 10.25 Pol. 805.1</p> | <p>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 local police department 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.</p> |
| <p>24 P.S. 1303-A Pol. 805.1</p> | <p>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.</p> <p>The building principal shall annually inform staff, students and parents/guardians about the Board policy prohibiting weapons, provisions in the Code of Student Conduct for policy violations, and about their personal responsibility for the health, safety and welfare of the school community.</p> |
| <p>24 P.S. 1317.2</p> | <p>An exception to this policy may be made by the Superintendent, who shall prescribe special conditions or administrative regulations to be followed.</p> |
| <p>18 U.S.C. 921, 922</p> | <p>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.</p> |

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| <p>24 P.S. 1317.2 Pol. 200</p> | <p><u>Transfer Students</u></p> <p>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.</p> <p><u>Searches</u></p> <p>Searches of students shall be conducted in accordance with Board policy.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1301-A, 1302.1-A, 1302-E, 1303-A, 1317.2</p> <p>State Board of Education Regulations – 22 PA Code 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. 1400 et seq.</p> <p>No Child Left Behind Act – 20 U.S.C. 7114</p> <p>Gun-Free Schools Act – 20 U.S.C. 7961</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, 113.3, 200, 218, 233, 236.1, 805, 805.1</p> |
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