

Wilson Area School District

Prohibition of Weapons Policy

1. Purpose

This policy has the purpose of prohibiting students from being in possession of weapons on school property, for providing for procedures for investigation and notification in the event of a report of or suspicion of the presence of a weapon on school property, and for providing mandatory disciplinary consequences, in accordance with the Federal Gun Free Schools Act of 1994 and PA Act 26 of 1995 (Safe Schools Act).

2. Definitions

A "weapon" is defined as any loaded or unloaded firearm (including any pellet guns, B.B. guns and look-alike firearm); an explosive device of any kind; any knife, cutting instrument, cutting tool, or any other tool, instrument or implement that is capable of inflicting serious bodily injury and is not reasonably related to education such as chains, brass knuckles, night sticks, ax handles, nunchaku(s), etc. For purposes of this policy, firearm is defined in accordance with United States Code, Title 18, Section 921. The foregoing does not apply to any object which has been specifically authorized by school officials, which may include antique firearms, a sporting or recreational firearm, or Army surplus ordinance.

A student is deemed to be in possession of any illegal and/or banned item(s) under this policy when such item(s) is found on the person of the student, on his/her possessions, under his/her control, on property being used by the school or at any school function, or activity, or any school event held away from the school, or if the student enters the Drug-Free School Zone surrounding the schools while on his/her way to school.

This prohibition shall not apply to any weapon (a) if it is brought to school by a student for an approved academic or extracurricular purpose; and (b) if it is a firearm which is not loaded and/or rendered mechanically incapable of being fired; and (c) it is properly encased and locked.

3. Guidelines

If, after appropriate due process proceedings and notice, a student is found to be in possession of or transporting a weapon during school hours or activities on school property, regardless of intent, that student will immediately be reported to the local police, scheduled for an informal hearing, cited for a suspension, and referred to the Superintendent.

In accordance with federal and state law, the Superintendent shall expel from school, for a period of not less than one (1) calendar year, any student who is found in possession of or transporting a weapon, as defined in this policy, and shall report such incidents to the Department of Education. The Superintendent may modify the one (1) year expulsion requirement on a case-by-case in order to conform to the provisions of the Individuals with Disabilities Education Act.

The Superintendent may expel or suspend from school any student who is found in possession of or transporting any other harmful implements. Such determination will be made based upon degree of danger, intent, and potential for harm to others.

Any student who violates this policy will be referred to the criminal justice or juvenile delinquency system, as required by law.

4. Procedures

Any professional staff member or school employee who suspects or ascertains that a student is in possession of a weapon as defined in this policy shall immediately inform the building principal who will conduct a complete investigation. Upon confiscation of a weapon, the principal must immediately notify and/or summon;

1. the local police,
2. Superintendent, and
3. the parents of any and all students involved in the incident.

Upon just cause of suspicion of possession of a weapon, the principal will request the student to volunteer to be searched by a school official (in the presence of a witness). If the student refuses to permit a search, the principal will immediately summon the police and request police assistance. Parents will be notified as soon as possible.

The Superintendent will develop a public statement and will inform Board Members.

The principal and Superintendent will coordinate the informal hearing procedure, (e.g., investigation, securing of written statements, witness statements and anecdotal records substantiating the charges of possessing, transmitting and/or transporting a weapon); as well as the notification requirements for a formal hearing for expulsion proceedings in accordance with the Pennsylvania School Code.

5. Special Rule

The provisions of this policy shall be construed in a manner consistent with the Individuals with Disabilities Education Act.