

# THE SCHOOL DISTRICT OF PHILADELPHIA

No. 218.1

Section: 200 Pupils

Title: Weapons

Adopted: August 24, 2011

Revised: January 18, 2018

## 218.1 WEAPONS

### Purpose

The **Board of Education (“Board”)** ~~School Reform Commission~~ **is committed to making every School District of Philadelphia (“District”) school a safe, welcoming, and healthy place** recognizes the importance of a safe school environment relative to the educational process. **The purpose of this policy is to prohibit the p**Possession of weapons in the school setting, as it is a threat to the safety of students and staff and is prohibited by law.

### Definitions

**For purposes of this policy, terms are defined as follows:**

**Weapon:** Any object, device, or instrument, **which, in its inherent and functional purpose, is intended to be** ~~that is designed as a weapon or that is capable of threatening or inflicting serious bodily harm or which may be used to inflict self-injury.~~ **This includes, but is not limited to,:** any firearms, ~~shotgun, or rifle,~~ whether loaded or **not unloaded; pellet or BB gun; knives; any knife, cutting instruments;; or cutting tool; any nunchaku; brass knuckles; electronic shock devices; any chemical agents such as pepper spray or mace; stun gun; incendiary device;** and any other tool, instrument, or object used or intended to be used to inflict serious bodily injury to another. ~~The term shall also include any simulated, replica, toy, or look-alike weapon.~~ [1][2][3]

**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 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~~ **traveling to or from school, including any District or public conveyance providing transportation.**

### Authority

**As required by Pennsylvania Public School Code, the Board** ~~The SRC~~ 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 **District or public vehicle conveyance** providing transportation to or from any school or a school-sponsored activity. [2][3]

The **Board SRC** 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 SRC** policy. The Superintendent, **or their designee, shall review each incident and may** recommend modifications of such expulsion requirement on a case-by-case basis, **with the critical goals of equitable treatment and mitigating the impact of historical patterns of discipline, so that the impacted student(s) may maintain the opportunity for educational continuity, achievement, and inclusion in the school community.** [2][4] **Factors that will be considered include, but are not limited to, intent to use, disability status, and mental health needs.**

In the case of a student with a disability, including a student for whom an evaluation is pending, the ~~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 **SRC Board** policies. [2][5][6][7][8][9][10][11]

The **SRC Board** authorizes the administration to conduct searches of students or their belongings to aid in the detection of weapons. ~~Searches shall be conducted~~ in accordance with **SRC Board Policies 226 - Searches and 817 - Use of Scanning Equipment to Detect Weapons.** [11][12]

### **Delegation of Responsibility**

The **Board directs the** Superintendent **or their designee, through the** Office of School Safety, ~~or designee shall to~~ react promptly to information and knowledge concerning possession of a weapon on school property. 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, **Board policies**, and the District's emergency preparedness plan. [10][13][14][15][16][17]

The Superintendent, Office of School Safety, 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 **SRC Board** policies. [2][10][13][15][16][17]

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 possible. 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 the attempts made to reach the parent/guardian. ~~[10][16][17]~~ [18]

In accordance with state law, the Superintendent, **or their designee**, shall annually, by July 31, report all incidents involving possession of a weapon to the **Pennsylvania Department of Education** Office for Safe Schools using the required form. [10][15] **On a regular basis, the Office of School Safety will evaluate all weapons incidents, to inform safety and security operations.**

### **Mandatory Regulatory Procedures**

The ~~d~~District shall annually inform staff, students, and parents/guardians about the **Board SRC** policy prohibiting weapons and about their personal responsibility for the health, safety, and welfare of the school community.

~~This policy shall not apply to a weapon, or item that otherwise would be considered a weapon, being used as part of a supervised school program approved by the district by an individual who is participating in the program. [2] Additional exceptions to this policy may be made by the Superintendent, who shall prescribe special conditions or administrative procedures to be followed. In no case shall an exception to this policy violate local ordinances regarding possession of weapons.~~

### **Transfer Students**

~~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 that the assignment does not exceed the expulsion period.~~

### **Legal References:**

1. [24 P.S. 1301-A](#)
2. [24 P.S. 1317.2](#)
3. [Philadelphia Code of Ordinances - Title 10, Section 10-833](#)
4. [Policy: 233](#) - Suspension and Expulsion
5. [22 PA Code 10.23](#)
6. [20 U.S.C. 1400 et seq](#)
7. [Policy: 103.1](#) - Nondiscrimination - Qualified Students With Disabilities/Protected Handicapped Students
8. [Policy: 113.1](#) - Discipline of Students With Disabilities
9. [Policy: 113.2](#) - Behavior Support
10. [Policy: 805.1](#) - Relations With Law Enforcement Agencies
11. [Policy: 226](#) - Searches
12. [Policy 817](#) - Use of Scanning Equipment to Detect Weapons
13. [24 P.S. 1302.1-A](#)
14. [Policy: 805](#) - Emergency Preparedness

15. 24 P.S. 1303-A
16. [22 PA Code 10.2](#)
17. [22 PA Code 10.21](#)
18. [22 PA Code 10.25](#)

~~Memorandum of Understanding between the Philadelphia Police Department and the School District of Philadelphia, 2016~~

**Related Information:**

[22 PA Code 403.1](#)

[18 Pa. C.S.A. 912](#)

[18 U.S.C. 921](#)

[18 U.S.C. 922](#)

[20 U.S.C. 7114](#)

[20 U.S.C. 7151](#)

[34 CFR Part 300](#)

[Policy: 218](#) - Student Conduct and Discipline

**School District of Philadelphia Code of Conduct**

[Philadelphia Code of Ordinances - Title 10, Sections 10-810, 10-816, 10-825, 10-826](#)

**Memorandum of Understanding between the Philadelphia Police Department and the School District of Philadelphia**