

Book: Luzerne Intermediate Unit
Section: 200 Pupils
Title: Weapons
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Purpose

The Board recognizes that the physical safety of students, employees, program participants and others present in Intermediate Unit programs and on Intermediate Unit property is essential for the safe operation of its educational programs and to maintaining an environment conducive to learning. The possession of weapons in any Intermediate Unit building, on Intermediate Unit grounds, or at any Intermediate Unit-sponsored activity poses a serious threat to the safety and welfare of students and staff and is prohibited by law and this policy.

Definitions

Weapon - the term shall include but is not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, 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; under the student's control while at school or Intermediate Unit programs, on school property of the Intermediate Unit, at any school function under the jurisdiction of the Intermediate Unit or on a conveyance providing transportation to or from any program or school function under the jurisdiction of the Intermediate Unit.

Authority

The Board prohibits students from possessing or bringing weapons or replicas of weapons into any Intermediate Unit-operated classroom or building, onto Intermediate Unit property, to any Intermediate Unit program or sponsored activity, and onto any public or private vehicle providing transportation to or from an Intermediate Unit program or sponsored activity, or while the student is coming to or from the site of an Intermediate Unit program or sponsored activity.[\[2\]](#)[\[3\]](#)

The Board may expel, from participation in Intermediate Unit programs, for a period of not less than one (1) year any student who violates this weapons policy. The Intermediate Unit shall coordinate actions involving expulsions from Intermediate Unit programs with the school district of residence; such expulsion

shall be given in conformance with formal due process proceedings required by law.[\[2\]](#)[\[4\]](#)[\[5\]](#)

The Executive Director may recommend modifications of such expulsion requirement on a case-by-case basis, and shall follow state and federal laws and regulations for students with disabilities.[\[2\]](#)[\[4\]](#)[\[5\]](#)

In the case of a student with a disability, including a student for whom an evaluation is pending, the Intermediate Unit, in coordination with the student's school district of residence, shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement that has jurisdiction over the school property of the Intermediate Unit and Board policies.[\[2\]](#)[\[4\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

Delegation of Responsibility

The Executive 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, the procedures set forth in the memorandum of understanding with the law enforcement agency that has jurisdiction over the school property of the Intermediate Unit and the Intermediate Unit's emergency preparedness plan.[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)

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, Intermediate Unit staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[\[15\]](#)[\[16\]](#)

Reporting

Law Enforcement Incident Report -

The Executive Director or designee shall immediately report incidents involving weapons in any Intermediate Unit-operated classroom or building, on Intermediate Unit property, at any Intermediate Unit-sponsored program or activity, or on a conveyance providing transportation to or from an Intermediate Unit-sponsored program or activity to the appropriate law enforcement agency, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement, Board policies and the emergency preparedness plan.[\[2\]](#)[\[11\]](#)[\[13\]](#)[\[14\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

Parental Report - Direct Involvement -

The Executive 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 Executive Director or designee shall inform the parent/guardian whether or not law enforcement has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian.[\[11\]](#)[\[12\]](#)[\[18\]](#)[\[20\]](#)

Additional Parental and Employee Notifications –

The Executive Director or designee shall, in accordance with applicable law, ensure notification of an incident involving possession of a weapon at any Intermediate Unit-operated classroom or building, on Intermediate Unit property, at any Intermediate Unit program or sponsored activity and onto any conveyance providing transportation to or from an Intermediate Unit program or sponsored activity, or while the student is coming to or from the site of an Intermediate Unit program or sponsored activity, to employees and parents/guardians of students, as follows: [\[12\]](#)[\[21\]](#)

1. Incident occurring in a building under the jurisdiction of the Intermediate Unit – notification to parents/guardians of students enrolled in or attending that school building and Intermediate Unit employees assigned to that building.
2. Incident occurring at a school building that shares a campus with other school buildings under the jurisdiction of the Intermediate Unit – notification to parents/guardians enrolled in or attending and Intermediate Unit employees assigned to any building on the shared campus.
3. Incident occurring at a school-sponsored activity or program, or on a public conveyance providing transportation to or from a school-sponsored activity or program under the jurisdiction of the Intermediate Unit – notification to the appropriate population of parents/guardians of students and Intermediate Unit employees. Notification is not required if the incident is not directly related to the school-sponsored activity or program or the students or staff involved in the activity or program under the jurisdiction of the Intermediate Unit.

Such notification must occur within twenty-four (24) hours of the incident using a method of communication likely to reach designated parents/guardians and employees, unless the circumstance of the incident necessitate otherwise. [\[12\]](#)

Coordination with School Districts—Intermediate Unit Programs Located in School District Facilities -

When an incident involving possession of a weapon occurs in an Intermediate Unit-operated classroom or program housed in a building owned or operated by a school district, the Intermediate Unit shall coordinate the required notifications with the school district where the incident occurred, in accordance with applicable law, Board policy and the emergency preparedness plan. [\[11\]](#)[\[12\]](#)[\[14\]](#)

If the Intermediate Unit-operated classroom or program is located within a school district building and the students enrolled in the Intermediate Unit program are residents of that school district, the Intermediate Unit may, by agreement or

established protocol, satisfy this policy's notification requirements through coordinated or joint notification with the host school district, provided that the notification meets the timing, content and recipient requirements of applicable law.[\[12\]](#)

If the Intermediate Unit-operated classroom or program is located within a school district building and one (1) or more students enrolled in the Intermediate Unit program are residents of other school districts, the Intermediate Unit shall:[\[12\]](#)

- Coordinate with the host school district regarding notifications to parents/guardians and employees assigned to the building or campus where the incident occurred; and
- Ensure that required notification is provided to the parents/guardians of students enrolled in the Intermediate Unit program and to Intermediate Unit employees assigned to the program, regardless of the students' school district of residence, unless notification is otherwise provided by agreement or in accordance with applicable law.

Nothing in this policy shall be interpreted to require the Intermediate Unit to notify parents/guardians or employees of the host school district who are not assigned to or affected by the Intermediate Unit program, except as required by applicable law or as coordinated with the host school district.

The Intermediate Unit shall make reasonable efforts to avoid duplicative or conflicting notifications and to ensure that notifications issued by the Intermediate Unit and the host school district are coordinated, accurate and consistent, while preserving the confidentiality of student education records as required by law.[\[22\]](#)[\[23\]](#)

Annual School Safety and Security Incidents Report -

In accordance with state law, the Executive Director shall annually, by July 31, report all incidents involving possession of a weapon to the PA Department of Education on the required form.

Guidelines

The building administrator or program supervisor shall annually inform staff, students and parents/guardians about the Board policy prohibiting weapons and about their personal responsibility for the health, safety and welfare of the school community.

An exception to this policy may be made by the Executive Director, in accordance with law, who shall prescribe special conditions or procedures to be followed.[\[2\]](#)

Transfer Students

When the Intermediate Unit receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the Intermediate Unit, in coordination with the student's school district of residence, may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.[\[2\]](#)[26]

Legal

1. 24 P.S. 1301-A

2. 24 P.S. 1317.2

3. Pol. 218

4. Pol. 113.1

5. Pol. 233

6. 22 PA Code 10.23

7. 20 U.S.C. 1400 et seq

8. Pol. 103.1

9. Pol. 113.2

10. Pol. 113.3

11. Pol. 805.1

12. 24 P.S. 1303.2-A

13. 24 P.S. 1319-B

14. Pol. 805

15. 24 P.S. 1302-E

16. Pol. 236.1

17. 24 P.S. 1306.2-B

18. 22 PA Code 10.2

19. 22 PA Code 10.21

20. 22 PA Code 10.25

21. 20 U.S.C. 1232g

22. Pol. 113.4

23. Pol. 216

24. 18 U.S.C. 921

25. 18 U.S.C. 922

26. Pol. 201

18 Pa. C.S.A. 912

18 U.S.C. 930

20 U.S.C. 7961

34 CFR Part 300