

**MONTGOMERY  
COUNTY  
INTERMEDIATE  
UNIT #23**

SECTION: PUPILS

TITLE: WEAPONS

ADOPTED: April 27, 2016

REVISED:

218.1 WEAPONS	
1. Purpose	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.
2. Definitions 24 P.S. 1301-A 24 P.S. 1317.2  18 U.S.C. Sec. 930 20 U.S.C. Sec. 1415	<p><b>Weapon</b> – the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and/or any other tool, instrument or implement capable of inflicting serious bodily injury.</p> <p>For students with disabilities, the term weapon does not include a pocket knife with a blade of less than 2.5 inches in length.</p> <p><b>Possessing</b> – 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 Intermediate Unit property, on property being used by the Intermediate Unit, at any Intermediate Unit function or activity, at any Intermediate Unit event held away from the Intermediate Unit, or while the student is coming to or from the site of an Intermediate Unit program.</p>
3. Authority 24 P.S. 1317.2  24 P.S. 1317.2 Pol. 113, 233  24 P.S. 1317.2 20 U.S.C Sec. 1400 et seq	<p>The Board prohibits students from possessing and bringing weapons and replicas of weapons into any Intermediate Unit operated classroom or building, onto Intermediate Unit property, to any Intermediate Unit-sponsored activity, and onto any public vehicle providing transportation to an Intermediate Unit program or sponsored activity.</p> <p>The Board, in coordination with the school district of residence, shall expel, from participation in Intermediate Unit programs, 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 Executive Director may recommend modifications of such expulsion requirement on a case-by-case basis, following federal and state laws and regulations for students with disabilities.</p> <p>In the case of a student with disabilities, the Intermediate Unit shall take all steps required to comply with the Individuals with Disabilities Education Act and Board policy, in cooperation with the administrators of the student’s school district of residence.</p>

218.1 WEAPONS

<p>4. Delegation of Responsibility 24 P.S. 1302.1-A</p>	<p>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 regulation, and with the procedures set forth in the memorandum of understanding with local law enforcement officials.</p>
<p>24 P.S. 1317.2 24 P.S. 1302.1-A</p>	<p>The Executive Director or designee shall immediately report the discovery of any weapon prohibited by this policy to local law enforcement officials and inform the student's parent(s)/guardian(s).</p>
<p>24 P.S. 1317.2 24 P.S. 1303-A</p>	<p>The Executive Director or designee shall report any violation of this policy by a student to the Superintendent of the school district of residence.</p> <p>The Executive Director shall annually, by July 31, report all incidents relating to acts of violence or possession of a weapon to the Office of Safe Schools on the required form in accordance with state law and regulation.</p>
	<p>Students, staff and parents/guardians shall be informed at least annually concerning this policy.</p>
<p>5. Guidelines 24 P.S. 1317.2</p>	<p>An exception to this policy may be made by the Executive Director, who shall prescribe special conditions or procedures to be followed.</p>
	<p>Weapons under the control of law enforcement personnel are permitted.</p>
<p>18 U.S.C. 921 18 U.S.C. 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>
	<p><u>Transfer Students</u></p>
<p>24 P.S. 1317.2</p>	<p>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 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. 1303-A, 1302.1, 1303.1-A, 1317.2</p> <p>State Board of Education Regulations – 22 PA Code Sec. 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, 930</p>

218.1 WEAPONS

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Gun-Fee Schools Act – 20 U.S.C. Sec. 7151

Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34  
CFR Part 300

Board Policy – 113, 233