

Book: Luzerne Intermediate Unit # 18  
Section: 200 Pupils  
Title: Weapons  
Code: 218.1  
Status: Active  
Adopted: 10/23/2024



### **Purpose**

The Board recognizes that the physical safety of students, employees, and program participants is essential for the safe operation of Intermediate Unit programs and for the establishment of a positive environment for learning. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.

### **Definitions**

**Weapon** - the term shall include but is not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon 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 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 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.[\[2\]](#)[\[3\]](#)

The Board 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. 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.[\[11\]](#)[\[12\]](#)[\[13\]](#)

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.[\[14\]](#)[\[15\]](#)

### **Guidelines**

The Executive Director or designee shall immediately report incidents involving weapons 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 school function under the jurisdiction of the Intermediate Unit to the law enforcement agency that has jurisdiction over the school property of the Intermediate Unit, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[\[2\]](#)[\[11\]](#)[\[12\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)

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 the law enforcement agency that has jurisdiction over the school property of the Intermediate Unit has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian.[\[11\]](#)[\[17\]](#)[\[19\]](#)

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.[\[11\]](#)[\[12\]](#)[\[16\]](#)

The Executive Director or designee shall report any violation of this policy by a student to the Superintendent of the student's school district of residence.

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.[\[2\]](#)

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.[\[20\]](#)[\[21\]](#)

### 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.[\[2\]](#)[\[22\]](#)

### Legal

1. 24 P.S. 1301-A

2. 24 P.S. 1317.2

3. Pol. 218

4. Pol. 113.1

5. Pol. 233

6. 20 U.S.C. 1400 et seq

7. 22 PA Code 10.23

8. Pol. 103.1

9. Pol. 113.2

10. Pol. 113.3

11. Pol. 805.1

12. 24 P.S. 1319-B

13. Pol. 805

14. 24 P.S. 1302-E

15. Pol. 236.1

16. 24 P.S. 1306.2-B

17. 22 PA Code 10.2

18. 22 PA Code 10.21

19. 22 PA Code 10.25

20. 18 U.S.C. 921

21. 18 U.S.C. 922

22. Pol. 201

18 Pa. C.S.A. 912

18 U.S.C. 930

20 U.S.C. 7961

34 CFR Part 300