

## **Student Policy #218.1 Weapons and Dangerous Instruments**

### **Purpose:**

The SusQ-Cyber Charter School Board of Trustees believes that the physical safety of students, employees and visitors is essential for the proper operation of the school and for the establishment of a positive learning environment. Based on this premise, the Board of Trustees seeks to provide a safe environment free from weapons for students and school personnel.

### **Authority:**

It shall be the policy of the Board of Trustees that possession of or bringing a weapon by students is prohibited on school property or in any vehicle providing authorized transportation of students to or from any school sponsored function, activity, or event or at the location of any school-sponsored activity.

### **Definitions:**

“Weapon” shall mean any instrument or implement for the infliction of or capable of inflicting bodily injury that serves no common lawful purpose, including, but not limited to, any knife, razor, razor blade, or other cutting instrument or cutting tool, sharpened wood, sharpened metal, nunchuk stick or other martial arts device, brass or metal knuckles, club, metal pipe, blackjack, chemical agent, such as, mace, laser, shocker, or stun gun, any explosive device, firearm (including pellet guns and BB guns), gun, sling shot, bow, arrow, or any other similar device from which a projectile may be discharged, including a firearm or weapon that is not loaded or that lacks a component or a device necessary to render it immediately operable. The term “weapon” shall include “weapon look alike”, including any instrument or implement designed to look like a “weapon”.

“Possess” and “Possession” shall mean being on the person of any person or in a person’s car, or otherwise under his or her control.

### **Guidelines:**

- A student who otherwise violates this policy or assists in the violation of the policy will immediately be suspended from school for a period of ten days pending a mandatory hearing with the Board of Trustees (or, as authorized by the Board of Trustees, a committee of the Board of Trustees, or a hearing examiner).
- The Board shall expel any student found guilty of violation of this policy for a period of one school year.
- The CEO will review each infraction on a case-by-case basis and may recommend alternative disciplinary action to the Board of Trustees.
- The CEO shall, in the case of an exceptional student, take all steps necessary to comply with the Individuals with Disabilities Education Act.
- The procedure to be followed for a student with a disability who has an IEP shall be in accordance with PA Chapter 711 regulations and Chapter 432 standards. A suspension of an exceptional student for more than ten consecutive school days or more than 15 cumulative school days in one year is considered a change in educational placement and, as such, requires a multidisciplinary evaluation where a manifestation determination shall be made, notice of recommended educational placement (NOREP) to the parents, and a

right to a hearing prior to the exclusion. The disciplinary exclusion of a student with mental retardation is considered a change in placement and requires notice of recommended educational placement (NOREP) to the parents and a right to a hearing prior to the exclusion. If the school deems the discipline problem so severe as to warrant immediate action, it may, with the approval of the Secretary of Education for the state of Pennsylvania, implement an interim change in educational placement, including exclusion from school, as long as notice of recommended educational placement (NOREP) is provided to the parents, and a due process hearing is scheduled as soon as possible. Under no circumstances is corporal punishment permitted. The CEO shall, in the case of an exceptional student, take all steps necessary to comply with the Individuals With Disabilities Education Act.

- In accordance with current state law the SusQ-Cyber Charter School will “...report any new incidents involving acts of violence or possession of a weapon by any person on school property...” as required by the Pennsylvania Department of Education’s Office of Safe Schools on the forms provided by the office.
- Prior to admission to any school entity the parent, guardian, or other person having control or charge of a student shall upon registration provide a sworn statement or affirmation stating whether the pupil was previously or is presently suspended or expelled from any public or private school of the Commonwealth or any other state for any act of violence committed on school property. The registration shall include the name of the school from which the student was expelled or suspended for the above listed reasons with dates of the expulsion or suspension and shall be maintained at the office of the Charter School.
- The school will maintain, “...updated records of all incidents of violence, incidents involving possession of a weapon and conviction or adjudication’s of delinquency for acts committed on school property by students enrolled in the school”. These records will be maintained in a format approved by the PA State Police in conjunction with the office of Safe Schools. The CEO will maintain these records.
- The student’s disciplinary record that includes records kept about that student “...shall be available for inspection to the student and his parent, guardian, or other person having control or charge of the student, to officials, and to state and local law enforcement officials... Permission of the parent, guardian, or other person having control or charge of the student shall not be required for transfer of the individual student record to another school entity within the Commonwealth or in another state in which the student seeks enrollment or is enrolled.” The student’s disciplinary record shall be maintained at the office of the Charter School.
- When a student withdraws from the SusQ-Cyber Charter School, the CEO shall include a certified copy of the student’s disciplinary record along with all of the student’s other records that are forwarded to the school entity to which the pupil has transferred.
- When a student enters the SusQ-Cyber Charter School the CEO shall request a certified copy of the student’s disciplinary record, along with all the other records from the school entity from which the student is transferring. This request shall be made by certified mail.

**Delegation of Responsibility:**

The CEO shall be responsible to ensure this policy is followed and shall inform the Board of all instances in violation of this policy.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENT.