

WEAPONS POLICY AND PROCEDURES

PURPOSE: These procedures are established by the Tussey Mountain School District in order to protect against violence, personal injury and property damage and to instill a sense of safety and security for those who participate in school district activities and/or make use of school district facilities.

1. **VIOLATION:** No person shall possess, handle, transport, use, discharge, manufacture, make, remake, assemble, sell, distribute, or transfer any weapon or ammunition while in any school building, on any school premises including bus zone, on any school bus or other conveyance providing transportation to or from school building or activity of the Tussey Mountain School District, at any school activity or function, whether sponsored by the school district or not, or, in the case of students, while coming to or going from school or school activities.

2. **VIOLATION:** In addition, no person shall knowingly possess any weapon or ammunition at a place that the individual knows, or has reasonable cause to believe, is a school zone in the Tussey Mountain School District. This section shall not apply to the possession of a weapon:
 - a. on private property not part of school grounds;
 - b. if the individual possessing the firearm is licensed to do so in the Commonwealth;
 - c. which is not loaded and in a locked container or a locked firearms rack which is in or on a motor vehicle;
 - d. by an individual for use in a program approved by the school district in the school zone;
 - e. by an individual in accordance with a contract entered into with the school district; or
 - f. by a law enforcement officer acting in his or her official capacity.

3. **VIOLATION:** In addition, no person shall knowingly and with reckless disregard for the safety of themselves or another, discharge or attempt to discharge a weapon, detonate an explosive, discharge a chemical deterrent at a place that the person knows is a school zone, unless as follows:
 - a. as part of a program approved by the school district;
 - b. by an individual in accordance with a contract entered into by the school district; or
 - c. by a law enforcement officer acting in his or her official capacity.

4. **RESPONSIBLE ACTIONS:** School district employees and students observing or otherwise becoming aware of weapons and/or ammunition on school premises, at school activities, on school buses or their conveyances, or of persons violating this procedure,

shall report the same to a school district teacher or administrator as soon as possible. Any teacher who obtains such a report shall immediately notify his/her principal, or in his or her absence, the principal's designee. Any administrator obtaining such information shall immediately notify the Superintendent, or in his or her absence, the Superintendent's designee.

5. **INVESTIGATION PROCEDURES:** Every school employee and/or student who has knowledge of a weapon being on or in school property without proper clearance shall immediately inform the principal, who will immediately conduct an investigation. A student who has knowledge of a weapon being in or on school property shall be subject to disciplinary proceedings if the student does not timely report same.

Based upon reasonable grounds to suspect that a student possesses a weapon, the principal, or his designee, will request that the student voluntarily empty his/her pockets, and remove any coat, book bag or purse so the same may be searched by a school official. Such search shall take place in the presence of another adult of the same gender as the student. (It is noted that Rules and Regulations of the State Board of Education provide that reasonable force may be used by teachers and school authorities to obtain possession of weapons or other dangerous objects if deemed necessary or reasonable).

If the student resists such a voluntary search, the principal or school official shall immediately summon the local police and request assistance. The parent or guardian of the student shall likewise be notified. Upon the police appearing, under no circumstances shall the school official act as the student's informed adult in regard to any Miranda Warnings.

The school shall also follow the above procedures for student locker searches.

If a weapon is found and confiscated, the principal shall immediately summon the local police, the Superintendent (or his designee if the Superintendent is not available), and the parents or guardians of the student involved.

6. **DISCIPLINE:** The following discipline procedures shall be followed by the administration:
 - A. Notification of the student concerning the violation(s).
 - B. Notification of student's parents.
 - C. Establishing whether or not the student has an IEP.
 - D. Notification of the Superintendent or his designee.
 - E. Notification of the police, if deemed necessary.
 - F. Assignment of discipline (3 days of out of school suspension. (A "NOREP" may be necessary)
 - G. Informal hearing with administration, parent(s) and student.
 - H. Assignment of discipline (10 days of out of school suspension. (A "NOREP"

may be necessary)

- I. Notification of the Board of School Directors.
- J. Notification of the student and parent(s) of their right to a formal hearing before the Board of School Directors as a part of the Due Process Procedure.
- K. The Board may assign an expulsion from school for a period of one calendar year from date of infraction. (A "NOREP" may be necessary)

Expulsions must be scheduled pursuant to the Pennsylvania School Code and applicable Rules and Regulations of the State Board of Education.

NOTE: THE SUPERINTENDENT RESERVES THE RIGHT TO DEVELOP SPECIAL DISCIPLINE SITUATIONS.

7. DEFINITIONS: As used in this procedure:

- A. The term "person" includes any individual, including students and school district employees, corporation, company, association, firm, partnership, society, or joint stock company. The term "person" shall not include law enforcement officials while on duty as law enforcement officials or security personnel retained by the school district and on duty with the school district.
- B. The term "weapon" includes, by way of example and not limitation are defined as the following:
 - 1. any knife, cutting instrument, or cutting tool, (special consideration may be granted to pocket knives under a blade length of four inches);
 - 2. nun-chuck sticks;
 - 3. handgun, shotgun, or rifle, including center-fire, rim-fire and muzzle loading firearms;
 - 4. air, CO2, and/or spring action pellet, BB, and/or dart guns;
 - 5. traditional long bows, recurve bows, compound bows, and/or crossbows;
 - 6. spear or dart propelling devices including blowguns;
 - 7. electric stun gun and cattle prods;
 - 8. chemically disabling spray or propellant (a.k.a.mace and pepper spray);
 - 9. brass knuckles, black jacks, and martial arts devices, including but not limited to, throwing stars;
 - 10. any other tool, instrument or implement capable of inflicting bodily injury or property damage;
 - 11. and shall include any item that is represented to be a weapon or that is threatened to be used as a weapon.

SPECIAL NOTE: Under special circumstances this definition may be expanded to include an object that has the appearance or characteristics of a weapon, such as toy guns, water pistols, etc. This clause is at the sole responsibility of the Superintendent or his designee.

- C. The term "firearm" means (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any chemical explosive, compressed gas, mechanical spring and/or elastic device; (2) the frame or receiver of any such weapon; and/or (3) any firearm muffler or firearm silencer;
- D. The term "destructive device" means (1) any bomb or device that is explosive and/or, incendiary in nature, or (2) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive, other propellant, and/or mechanical means which has any barrel with a bore. (Items traditionally classified as firecrackers may be included or excluded under this definition at the sole discretion of the Superintendent or, in the absence of the Superintendent, his designee).
- E. The term "school zone" means in, or on the grounds of any of the building or schools owned by the Tussey Mountain School District. This also includes Bus Loading Zones.
- F. Possession means being on the person of the student, in the student's locker, in a vehicle operated by the student, and/or otherwise under his or her control.

Press Release: The Superintendent or designee shall formulate a press release if deemed appropriate.

BULLYING POLICY

The Tussey Mountain School District recognizes that bullying of students has a negative effect on the educational environment of its schools. Students who are bullied, intimidated or fearful of other students may not be able to take full advantage of the educational opportunities offered by the school district. Bullying can also escalate into more serious violence. Therefore, the school district strives to offer all students an educational environment free from bullying.

Bullying, as defined in this policy, includes cyber bullying.

Bullying shall mean unwelcome intentional electronic, verbal, written or physical conduct directed at a student by another student(s) that has the intent and effect of:

1. Physically harming a student.
2. Damaging, extorting or taking a student's personal property.
3. Placing a student in reasonable fear of physical harm.
4. Placing a student in reasonable fear of damage to or loss of personal property.
5. Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

The term bullying shall not be interpreted to infringe upon a student's right to engage in