



# Bellefonte Area School District

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Dr. Roy A. Rakszawski, Superintendent  
Mr. Kenneth G. Bean, Jr., CMA, Director of Fiscal Affairs

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## *Context for Policy 218.1 Weapons*

May 15, 2026

Dear Bellefonte Community,

Given the number of Act 44 Weapon Notifications in the last two weeks, the Bellefonte Area School District would like to provide the following overview of our Board-adopted Policy 218.1, governing student possession of weapons. The District's approach reflects both our commitment to student and staff safety and our obligations under state and federal law.

### **Scope of the Policy**

The policy applies broadly to any school building, school property, school-sponsored activities (including trips), and vehicles providing transportation to or from school. It also applies while students are traveling to or from school. "Possession" includes a weapon found on a student's person, in their locker or assigned storage area, or otherwise under their control in any of these settings.

The term "weapon" is defined broadly under the policy to include knives, cutting instruments and tools, nunchaku, firearms, shotguns, rifles, replicas of weapons, and any other tool or instrument capable of inflicting serious bodily injury.

### **Why Possession Alone Triggers the Policy**

It is important to understand that neither the District's policy nor the Pennsylvania School Code includes the concept of intent. A student does not need to have intended to bring a weapon to school, threaten anyone, or use the weapon in any way. The mere fact of possession, as defined above, is sufficient to trigger the full provisions of the policy, including mandatory expulsion proceedings.

This standard exists for good reason. The presence of a weapon in a school setting creates risk that extends well beyond the individual student found in possession of it. A weapon that is lost, misplaced, or inadvertently transferred to another student, even through innocent contact or carelessness, can find its way into the hands of someone capable of harming themselves or others. Schools are dynamic environments with hundreds of young people in close proximity throughout the day. The potential for a weapon to move from one person to another, without any deliberate act, is real and cannot be dismissed. The law and the Board's policy reflect a judgment that this level of risk is unacceptable in a school setting, regardless of the original possessor's state of mind.

### **Mandatory Consequences and Superintendent Discretion**

Under Pennsylvania law and Board policy, any student found in possession of a weapon is subject to expulsion for a minimum of one year. This expulsion is carried out through formal due process proceedings.

The Superintendent retains the authority to recommend modifications to the one-year expulsion requirement on a case-by-case basis. This discretion is intentional and meaningful. While the policy is firm in its prohibition, the law recognizes that circumstances surrounding a weapons incident can vary considerably from case to case. Factors a Superintendent may weigh when considering a modification include the student's age and grade level, the nature of the weapon involved, the student's prior disciplinary history, whether the student voluntarily disclosed the weapon, the degree of threat posed to others, and any mitigating circumstances surrounding how the weapon came to be in the student's possession. This discretion does not diminish the seriousness of the violation; rather, it allows the District to respond in a way that is both firm and fair, taking into account the full picture of an individual student's situation while keeping the safety of the school community at the center of any decision. Any consequence less than a one-year expulsion reflects the application of discretion and flexibility. The Administration and Board of Directors carefully considers all the facts in each case to ensure decisions are fair and consistent with the policy and other similar decisions. The District does not have or apply a 'zero tolerance' policy or approach to these matters.

After a recommendation is made to the Board of Directors, the Board deliberates, carefully considering all of the facts to either affirm the recommendation or modify it. The Board must then vote on the recommendation in public although, due to the Family Education Rights and Privacy Act (FERPA), they are not permitted to share any details or rationale with the public. This will inevitably result in the public not having all the facts that the Board had in making the decision.

### **Students with Disabilities**

The District takes all steps necessary to comply with the Individuals with Disabilities Education Act. This includes a "Manifestation Determination" to determine if the behavior was a result of the student's disability.

### **Immediate Response Steps**

When a weapon is discovered, the District is required to take several immediate actions. Law enforcement with jurisdiction over school property is notified without delay. The parent or guardian of any student directly involved, whether as a victim or suspect, is notified as soon as practicable. The District also documents all attempts made to reach a parent or guardian. If the behavior of the student poses a broader threat to safety, the matter is referred to the District's Threat Assessment Team. However, the District's Threat Assessment Team need not be activated by simple possession of a weapon. Furthermore, the non-activation of the Threat Assessment Team does not automatically negate the consequence of expulsion.

### **Reporting**

In accordance with state law, the Superintendent is required to report all incidents involving weapons to the Pennsylvania Department of Education by July 31 of each year. Pursuant to Act 44, effective January 6, 2026, the District is required to communicate any weapon incident to parents and staff within 24 hours, but cannot breach confidentiality while doing so.

The Bellefonte Area School District remains committed to maintaining a safe learning environment. While we are bound by the mandatory provisions of the PA School Code, we also ensure that every student's due process rights are protected through a formal hearing before the Board of Directors or designee before any final expulsion vote is taken.

The District's full policy (Policy 218.1) is available through the District's policy manual.

Sincerely,

A handwritten signature in black ink that reads "Roy A. Rakszawski". The signature is written in a cursive style with a prominent initial "R".

Dr. Roy A. Rakszawski