Board Policy 205: Safe Schools Policy

Purpose

Freire Charter High School (the "School") believes that maintaining an environment supportive of learning and free of violence is important to the success of our students' education. This policy, along with the Code of Conduct and Nonviolence Policy, is designed to ensure that students are able to learn in a safe environment in accordance with the School's nonviolence expectations.

Act 26

Act 26 of 1995 (the Safe Schools Act) creates a mandatory one-year expulsion for the possession of weapons on school property, including school-sponsored events. It requires parents to provide a sworn statement upon registering their child in school as to whether the child had previously been suspended or expelled from another school. Act 26 also requires schools to maintain records on acts of violence and weapon possession and to forward student discipline records when a student transfers to another school.

Act 26 defines the term weapon as "including but not limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and any other tool, or instrument capable of inflicting serious bodily injury." The law requires action for documented cases of weapon possession in school or while traveling to and from any school or school program, including while on public transportation or school buses.

Reporting a Freire Community Member

Any member of the public or school community may report another community member for violating the Code of Conduct. Students have the responsibility to inform a staff member if they become aware that a fellow student is in possession of illegal substances, firearms, weapons, or any items that could endanger the health, safety, or welfare of the school community or property. The Dean's Office will follow up on all reports.

Retaliation

It is the School's policy that a positive, open environment be maintained at all times. Therefore, the School encourages all community members to report problems or concerns **without fear of retaliation or reprisal**. All reports will be promptly investigated. The School is committed to doing whatever is necessary to protect students from retaliation resulting from a concern or complaint. Should the School determine that retaliation has occurred, or that a community member is planning retaliatory action, disciplinary steps will be taken. The consequences could include any of the following:

- Community service
- Written apology
- Suspension
- Informal hearing
- Recommendation for expulsion
- Police notification

Expectation on Conduct of Friends and/or Family

This policy applies to Guests (non-Freire students who are brought by Freire students to School-sponsored events) and to family members of Freire Students or other adults who visit School or attend School-sponsored events. It is the Student's responsibility to ensure that their Guests are aware of this Policy and other student conduct rules.

Search and Seizure

When a reasonable suspicion exists that a search of a student's person, locker, device, or other belonging will uncover evidence of a violation of School policy, school rules, or applicable law, the Head of School or their designee may conduct a search. A student shall be notified and given an opportunity to be present during the search unless there is reasonable suspicion that the search may uncover material which poses an immediate threat to the health, safety, or welfare of students or staff, in which case the search may be conducted without prior warning (22 Pa. Code § 12.14).

The Head of School or their designee may institute general search procedures, including at the point of entry to the School building, lockers, hallways, or randomly selected portions of the Building or grounds, when necessary to promote the health, safety, and welfare of the School community, students, and staff. General search procedures may also be instituted at school functions, such as school dances or proms. Students and families shall be notified in advance of any functions at which these general searches may occur.

Searches may include the use of metal detection devices such as wands or automated weapons detecting systems and students may be asked to remove coats, empty pockets, or open their backpacks, purses etc.

Participation in the Charter School's entry screening procedures is required for entry into the school building. Students who decline to participate in required entry screening procedures will not be permitted to enter the school building. Additionally, a student who refuses or otherwise obstructs a search may be subject to disciplinary consequences.

Any violations of school policy or school rules, including those outlined in the Code of Conduct and Parent/Student Handbook, that are discovered through the searches described herein shall be addressed in accordance with School policy or Memorandum of Understanding with law enforcement.

If a search uncovers an item, material, or substance, the possession of which would appear to be in violation of applicable law, the matter shall be reported to local law enforcement authorities. The staff member or administrator responsible for conducting a search is responsible for the safekeeping and proper retention/disposal of any illegal, unauthorized, or prohibited materials found as a result of the search. Care should be taken to ensure that any seized material is properly secured until surrendered to law enforcement. The School reserves the right to perform its own independent testing/analysis of any substance seized in order to determine whether or not possession of such substance constitutes a violation of School policy or applicable law. The parents/guardians of the student shall be notified as soon as practicable after the search has been conducted.