

---

**TITLE 14 EDUCATION**  
**DELAWARE ADMINISTRATIVE CODE**

---

1

**DEPARTMENT OF EDUCATION**  
**OFFICE OF THE SECRETARY**  
**600 School Climate and Discipline**

**603 Compliance with the Gun-Free Schools Act**

**1.0 Content**

Pursuant to 14 **Del.C.** §122(b)(2), this regulation provides the written policy requirements to implement the Gun-Free Schools Act (20 U.S.C. §7961) and the reporting requirements for Delaware public schools.

**27 DE Reg. 968 (06/01/24)**

**2.0 Definitions**

The following words and terms, when used in this regulation, shall have the following meaning:

**"Department"** means the Delaware Department of Education established pursuant to 14 **Del.C.** §101.

**"Firearm"** has the same meaning given such term in the Gun-Free Schools Act (20 U.S.C. §7961(b)(3)).

**27 DE Reg. 968 (06/01/24)**

**3.0 Written Policy Required**

3.1 Each school district and charter school shall have a written policy implementing the Gun-Free Schools Act [(20 U.S.C. §7961)] and complying with 11 **Del.C.** §1457A or its successor statute. At a minimum, the policy must contain the following elements:

3.1.1 A student who is determined to have brought a firearm to school, or to have possessed a firearm at school, shall be expelled for not less than 1 school year.

3.1.2 Pursuant to 11 **Del.C.** §1457A(f), modification to the expulsion requirement may be made on a case by case basis by the local school board or charter school board of directors. Any modification to the expulsion requirement must be reported to the Department.

3.2 A copy of the school district's or charter school's current policy shall be in the school district or charter school's Student Handbook or Code of Conduct.

**12 DE Reg. 325 (09/01/08)**

**23 DE Reg. 368 (11/01/19)**

**27 DE Reg. 968 (06/01/24)**

**4.0 Submission of Information to the Department**

4.1 Each school district and charter school shall submit the following to the Department:

4.1.1 An electronic copy of its policy implementing the Gun-Free Schools Act [(20 U.S.C. §7961)] and complying with 11 **Del.C.** §1457A or its successor statute; and

4.1.2 An electronic copy of any revised policy implementing the Gun-Free Schools Act [(20 U.S.C. §7961)] and complying with 11 **Del.C.** §1457A or its successor statute within 90 days of such revision regardless of whether revisions were made as a result of changes to federal, state or local law, regulations, guidance or policies; and

4.1.3 Description of the circumstances surrounding expulsions imposed under 11 **Del.C.** §1457A or its successor statute. The description must include all of the following:

4.1.3.1 The name of the school;

4.1.3.2 The number of students expelled from the school; and

4.1.3.3 The type of firearms.

**23 DE Reg. 368 (11/01/19)**

**27 DE Reg. 968 (06/01/24)**

**5.0 Individuals with Disabilities Act**

---

**TITLE 14 EDUCATION**  
**DELAWARE ADMINISTRATIVE CODE**

---

Nothing in this regulation shall alter a district or charter school's duties pursuant to the Individuals with Disabilities Education Act.

**1 DE Reg. 1976 (06/01/98)**

**7 DE Reg. 333 (09/01/03)**

**12 DE Reg. 325 (09/01/08)**

**23 DE Reg. 368 (11/01/19)**

**27 DE Reg. 968 (06/01/24)**