

Weapons in the Schools

Students shall not bring, possess, conceal or use a weapon on or at district property, activities under the jurisdiction of the district or interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association).

Weapons and intended replicas of weapons are forbidden on school property and at school sponsored activities.

“Dangerous weapon” - any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.

“Deadly weapon” - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;

“Firearm” - any weapon (including starter guns) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon or any firearm silencer;

“Destructive device” - any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may include, but are not limited to, firearms, knives, metal knuckles, straight razors, explosives, noxious, irritating or poisonous gases, poisons, drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons.

Replicas of weapons (including starter guns, paintball guns and air pistols), fireworks, and pocket knives are also prohibited by Board policy. Exceptions to the district’s replicas prohibition may be granted only with prior principal approval for certain curriculum or school-related activities.

Prohibited weapons (replicas of weapons; starter guns, paintball guns and air pistols), fireworks, and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, unlawfully been in possession of a firearm or destructive device as defined by this policy, shall immediately report such violation to an administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students found to have brought, possessed, concealed or used a dangerous or deadly weapon; firearm or destructive device in violation of this policy shall be expelled for a period of not less than one year. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement, as appropriate. Incidents of students possessing weapons must be reported to the student's parents and must be reported to the police. Appropriate disciplinary and/or legal action will be taken against students who possess weapons and against students who assist possession in any way. The superintendent may, on a case-by-case basis, modify this expulsion requirement. The district may also request suspension of a student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA/JGEA - Discipline of Students with Disabilities, and accompanying administrative regulation.

The district may but does not have the responsibility to document, propose and/or provide alternative education programs of instruction for weapons related violations.

Based on the individual incident, a program of counseling and assessment for the student, at district expense, may be required both after a weapons violation and prior to re-enrollment in the district. Parents/guardians will be strongly encouraged to participate with their son/daughter in the counseling and assessment program.

Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize the persons to possess weapons for courses, programs and activities approved by the district and conducted on district property such as hunter safety courses, JROTC and other weapons-related vocational courses or weapons-related sports. The superintendent may prescribe special conditions or procedures to be followed before giving such authorization.

The district may post a notice at any site or premise off district grounds that at the time, is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A "school zone" is defined by federal law as in or on school grounds or "within 1000 feet of school grounds".

END OF POLICY

Legal Reference(s):

ORS 161.015	ORS 809.060	OAR 581-021-0050 to -0075
ORS 166.210 - 166.370	ORS 809.260	OAR 581-053-0010(5)
ORS 166.382		OAR 581-053-0015(7)(k)
ORS 332.107		OAR 581-053-0545(4)(c),(w)
ORS 339.115		OAR 581-053-0550(5)(v)
ORS 339.240		
ORS 339.250		
ORS 339.260		
ORS 339.315		
ORS 339.327		

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

Cross Reference(s):

JFCM - Threats of Violence
JGDA/JGEA - Discipline of Students with Disabilities
JGDA/JGEA-AR - Discipline of Students with Disabilities