

**Greater Albany SD 8J  
Board Policy**

Code: **JFCJ**  
Adopted: 8/12/96  
Revised/Readopted: 3/12/01, 8/23/04, 8/13/07;  
2/24/14  
Orig. Code(s): BP 5324

## **Weapons in the Schools**

Students shall not bring, possess, conceal or use a weapon on or at district property, or during activities under the jurisdiction of the district.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. “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;
2. “Deadly weapon” – any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. “Firearm” – 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 an explosive, frame or receiver of any such weapon, any firearm silencer or any destructive device;
4. “Destructive device” – any 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 also include, but not be limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents or guardians<sup>1</sup> and patrons.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the district’s replicas prohibition may be granted only with prior building principal approval and superintendent notifications for certain curriculum or school-related activities.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

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<sup>1</sup>As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

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 or guardians<sup>1</sup> 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 firearm in violation of this policy or state law shall be expelled for a period of not less than one year as required by law. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement as appropriate. 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 Disabled Students, and accompanying administrative regulations.

Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports.

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 Oregon law, any person who intentionally possesses a firearm or other dangerous weapon in or on district property or recklessly discharges a firearm in or on district property is subject to criminal prosecution, imprisonment, a fine, and forfeiture of the firearm/dangerous weapon.

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," as defined by federal law means in or on school grounds or within 1,000 feet of school grounds.

“Gun-Free School Zone” signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 109.056</a>	<a href="#">ORS 339.240</a>	<a href="#">OAR 581-021-0050 to -0075</a>
<a href="#">ORS 125.005(4)</a>	<a href="#">ORS 339.250</a>	<a href="#">OAR 581-053-0010(5)</a>
<a href="#">ORS 125.300 - 125.325</a>	<a href="#">ORS 339.315</a>	<a href="#">OAR 581-053-0230(9)(k)</a>
<a href="#">ORS 161.015</a>	<a href="#">ORS 339.327</a>	<a href="#">OAR 581-053-0330(1)(r)</a>
<a href="#">ORS 166.210 - 166.370</a>	<a href="#">ORS 809.135</a>	<a href="#">OAR 581-053-0430(17)</a>
<a href="#">ORS 166.382</a>	<a href="#">ORS 809.260</a>	<a href="#">OAR 581-053-0531(16)</a>
<a href="#">ORS 332.107</a>		<a href="#">OAR 581-053-0630</a>
<a href="#">ORS 339.115</a>	<a href="#">OAR 581-015-0005(18)</a>	

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 Disabled Students