

Weapons in Schools - Staff

Possession of Dangerous Weapons at School Prohibited

Possession of a weapon or replica of a weapon at school by staff is prohibited. For purposes of this policy, “at school” includes district buildings, district property, private vehicles on district property, school buses, and district activities and field trips held under the jurisdiction of the district, on or off the regular school campus and at any time.

Any firearm or other weapon possessed on or about a person while at school is subject to seizure or police forfeiture.

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

1. “Dangerous weapon” means 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. Dangerous weapons may include, but not be limited to, firearms, knives, metal knuckles, straight razors, noxious, or irritating gases, poisons, drugs or other items fashioned with the intent to use, sell, harm, threaten or harass others. Also included are weapons that are unloaded or inoperable.
2. “Deadly weapon” means any instrument, article, or substance specifically designed for and presently capable of causing death or serious physical injury.
3. “Firearm” means 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, or the frame, or receiver of any such weapon or any firearm silencer.
4. “Destructive device” means 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.
5. “Other prohibited weapons” includes fireworks and replicas of weapons.

Actions by School Officials

In accordance with Oregon law, any employee who has reasonable cause to believe a 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.

Incidents of possession of a firearm or destructive device will be reported to the police and appropriate legal and disciplinary action will be taken up to and including dismissal.

Exceptions

Dangerous weapons under the control of law enforcement personnel are permitted.

Firearms or other dangerous weapons under the control of an adult, which are to be used as part of bona fide class instruction, are permitted. This includes such things as hunter safety courses and antique weapons used in display and instruction activities. In such cases, the principal shall be notified and give prior approval.

Staff members may possess a noxious or irritant gas canister as a personal defense device. However, irresponsible use, attempted use, or threatened use of this device will be treated as a violation of this policy. Persons wishing to carry such a device must register with the principal's office.

The superintendent may authorize other persons to possess weapons at school. The superintendent may prescribe special conditions or procedures to be followed before giving such authorization.

Notice

The district may post a notice at any site or premises 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.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)

[ORS 166.210 - 166.370](#)

[ORS 332.107](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).

Doe v. Medford Sch. Dist. 549C, 232 Or. App. 38, 221 P3d 787 (2009).