

Weapons at School - Students

Possession of Weapons at School Prohibited

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

Any firearm or other weapon possessed on or about a student 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, frame or receiver of any such weapon, any firearm silencer or any destructive device;
4. “Destructive device” means 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;
5. “Other prohibited weapons” includes fireworks, pocket knives and replicas of weapons. Exceptions to the district’s replicas prohibition may be granted only with prior building administrator approval for certain curriculum or school-related activities. Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

Actions by School Officials

In accordance with Oregon law, any employee who has reasonable cause to believe a student 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 firearm in violation of this policy or state law 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. The superintendent may 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 for a student expelled for bringing a weapon to school.

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.

Appropriate disciplinary and/or legal action will be taken against students or others who assist in activities prohibited by this policy.

Exceptions

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.

Firearms or other dangerous weapons under the control of an adult that 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 building administrator shall be notified and give prior approval.

Students 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 premise off district grounds, that 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,” 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

Legal Reference(s):

[ORS 161.015](#)
[ORS 166.210](#) to -166.370
[ORS 166.382](#)
[ORS 332.107](#)
[ORS 339.115](#)
[ORS 339.240](#)
[ORS 339.250](#)

[ORS 339.315](#)
[ORS 339.327](#)
[ORS 809.135](#)
[ORS 809.260](#)

[OAR 581-021-0050](#) to -0075

[OAR 581-053-0010\(5\)](#)
[OAR 581-053-0230\(9\)\(k\)](#)
[OAR 581-053-0330\(1\)®](#)
[OAR 581-053-0430\(17\)](#)
[OAR 581-053-0531\(16\)](#)
[OAR 581-053-0630](#)

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