

Weapons in the Schools**

No student shall 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 Schools Activities Association). ORS 339.250 (6) (a) (A-C).

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; ORS 161.015 (1)
2. “Deadly weapon” - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury; ORS 161.015 (2)
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 or any firearm silencer or any destructive device; ORS 166.210 (2-3)
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. ORS 166.382 (1)(a-b) (2)(a).

Weapons may also include, but not be limited to, knives, metal knuckles, straight razors, fireworks or pyrotechnics, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parent/legal guardians and patrons. ORS 166.360 (5) and ORS 166.240 (1).

Fireworks and replicas of weapons are also prohibited by Board policy. Exceptions to the district’s replicas prohibition may be granted only with prior building principal approval for certain curriculum or school-related activities. ORS 166.370 (3) (e).

Prohibited weapons, replicas of weapons, or fireworks are subject to seizure or forfeiture. ORS 166.279 (1).

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. ORS 339.315.

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. ORS 339.315 (1). Parent/legal guardians will be notified of all conduct by their student that violates this policy. OAR 581-021-0065 (1).

Employees shall promptly report all other conduct prohibited by this policy to an administrator. ORS 339.315.

Students found to have brought, possessed, concealed or used a firearm in violation of this policy shall be expelled for a period of not less than one year. ORS 339.250 (5) (6) (a) (A-C). All other violations of the policy or state law 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. ORS 339.250 (6) © (d). 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. ORS 809.060 and ORS 809.260.

Special education students shall be disciplined in accordance with federal law and Board Policy JDGA/JGEA Discipline of Disabled Students, and accompanying administrative regulations. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Weapons under the control of police officers as defined by Oregon Statute are permitted. ORS 166.260. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property. ORS 166.370 (3) (e).

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," as defined by federal law means in or on school grounds or within 1,000 feet of school grounds. Title 18 USC Section 921 (a) (25-26).

"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