

Weapons in the Schools

Weapons and replicas of weapons are forbidden on district property or district sponsored activities.

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

1. A “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;
2. A “deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. A “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. A “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.

Weapons shall include, but not be limited to, firearms, knives, metal knuckles, straight razors, explosives, noxious, irritating or poisonous gases, poisons, drugs or other items, which under the circumstances in which they are used, attempted to be used, or threatened to be used, are readily capable of causing death or physical injury.

Any loaded or unloaded firearm or weapon possessed on or about a student while on district property is 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 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, 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.

Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons in district buildings. The superintendent may prescribe special conditions or procedures to be followed before giving such authorization.

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.

END OF POLICY

Legal Reference(s):

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| ORS 161.015 | ORS 339.315 | OAR 581-053-0010(5) |
| ORS 166.210 to -166.370 | ORS 339.327 | OAR 581-053-0230(9)(k) |
| ORS 166.382 | ORS 809.135 | OAR 581-053-0330(1)(r) |
| ORS 332.107 | ORS 809.260 | OAR 581-053-0430(17) |
| ORS 339.115 | | OAR 581-053-0531(16) |
| ORS 339.240 | OAR 581-021-0050 to -0075 | OAR 581-053-0630 |
| ORS 339.250 | | |

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2012).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2012).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101, 7111-7121 (2012).

Cross Reference(s):

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