

Weapons in the Schools

Students shall not bring, possess, conceal or use a weapon on district property or at district activities under the jurisdiction of the district or interscholastic activities administered by a voluntary organization approved by the State Board of Education.

For purposes of this policy, and as defined by state and federal law, weapons 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 other destructive device including any explosive, incendiary or poisonous gas; and
4. “Destructive device” - 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.

Weapons may also include, but not be limited to, knives, metal knuckles, straight razors, noxious, irritating or poisonous gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons.

Prohibited weapons possessed on or about a person while on district property are subject to seizure or forfeiture.

Incidents of students possessing weapons will be reported to the student’s parents and a referral to the appropriate law enforcement agency shall be made. Appropriate disciplinary and/or legal action will be taken against students who possess weapons and with students who assist possession in any way. Students bringing weapons to school will be expelled for a period of not less than one year. 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.

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.

END OF POLICY

Legal Reference(s):

ORS 161.015	OAR 581-021-0050 to -0075
ORS 166.210 - 166.370	OAR 581-053-0010(5)
ORS 166.382	OAR 581-053-0015(7)(k)
ORS 332.107	OAR 581-053-0545(4)(c),(w)
ORS 339.115	OAR 581-053-0550(5)(v)
ORS 339.240	
ORS 339.250	
ORS 339.260	
ORS 339.315	
ORS 339.327	
ORS 809.060	
ORS 809.260	

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
JGDA/JGEA-AR - Special Education - Discipline