

Weapons in the Schools - Students

Students shall not bring, possess, conceal or use a weapon on any district property under the jurisdiction of the district, any activities under the jurisdiction of the district or any interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon Schools Activities Association).

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.

The superintendent may authorize 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. The district will post a notice at any site or premise off district grounds that at the time is being used exclusively for 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 Oregon revised Statute (ORS) 166.370.

For purposes of this policy, and as defined by state and federal law, weapons include:

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 any explosive, the frame or receiver of any such weapon, any firearm muffler or silencer or any destructive device;
4. "Destructive device" - includes but is not limited to 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 may also include, but are not limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and community members.

Replicas of weapons, fireworks, and pocket knives 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.

Prohibited weapons, replicas of weapons, fireworks, and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any district employee who has reasonable cause to believe a student or other person while in a school, is or, within the previous 120 days, has 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 for firearms or destructive devices 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.

A person making a report as described above who has reasonable grounds for making the report is immune from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the report. The identity of a person participating in a good faith report as described above may not be disclosed except when allowed by law.

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 determined to have brought, possessed, concealed or used a firearm, as defined in policy, in violation of this policy or state law shall be expelled from school for a period of not less than one year. All other violations of the policy will result in discipline and may include expulsion and/or referral to law enforcement as appropriate. The Board of Directors may, on a case-by-case basis, modify this expulsion requirement. The superintendent may propose alternative programs of instruction or instruction combined with counseling that are appropriate and accessible to the student, and shall provide such information in writing to the student and the parent in accordance with 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 Discipline of Students with Disabilities and accompanying administrative regulation.

Weapons under the control of law enforcement personnel are permitted. The Board of Directors may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property.

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.

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

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 992(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).