



## **SECOND READING OF SCHOOL BOARD POLICIES**

### **POLICY ISSUE/SITUATION:**

Attached is the second reading of School Board policies:

- **DJC** – Bidding Requirements
- **JFCJ** – Weapons in Schools

### **BACKGROUND INFORMATION:**

In January, 2004 the Oregon School Board Association performed an audit of the Beaverton School District Board policies. As a result of this audit, departments continue to work to reach compliance of the policies pertinent to their areas. Throughout the school year new policies and/or policy changes will be presented for your review.

### **RECOMMENDATION:**

**(14-423)** It is recommended that the School Board adopt these policy changes.

**District Goal:** All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

## BIDDING REQUIREMENTS

The Board is the Local Contract Review Board (LCRB) for the district.

The Board, acting as its own LCRB, adopts the Oregon Attorney General's Model Public Contract Rules, OAR Chapter 137, Divisions 046 through 049.

All public contracts shall be invited in accordance with applicable competitive procurement provisions of Oregon Revised Statutes and adopted public contracting rules except as allowed in the adopted rules or administrative regulations.

The district shall procure construction manager/general contractor services in accordance with model rules the Attorney General adopts under ORS 279A.065

Where necessary, the Board has made the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

### Emergency Procurements

The Superintendent, or designee, shall make emergency declarations and procurements pursuant to ORS 279B.080.

### Special Procurements

The Board shall approve special procurements pursuant to ORS 279B.085 and exemptions pursuant to ORS 279C.335.

### Sole Source Procurements

The Superintendent, or designee, shall determine in writing that goods or services, or class of goods or services are available from only one source pursuant to ORS 279B.075. The Board may exempt specifications pursuant to ORS 279C.345.

Opportunity will be provided to all responsible suppliers to do business with the district. The Chief Financial Officer will develop and maintain lists of potential vendors for various types of materials, equipment and supplies. Such lists may be used to develop a mailing list for distribution of specifications and solicitations for bids or proposals. Any supplier may be included in the list upon request.

Procurements estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process described in ORS 279B.

Records of bids, proposals and specifications will be kept in the district administration office and will conform to Oregon Revised Statutes and applicable records retention provisions of the Oregon Attorney General's Model Public Contract Rules.

The Superintendent, or designee, shall develop administrative regulations necessary to implement this policy.

END OF POLICY

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Legal References:

ORS Chapters 279, 279A, 279B, and 279C

Oregon Attorney General's Model Public Contract Rules

## WEAPONS IN THE SCHOOLS

Students shall not 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.

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.
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.~~ 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.

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Weapons may also include, but not be limited to, knives, metal knuckles, straight razors, noxious, irritating or poisonous gases, poisons, 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.

In accordance with Oregon law, any employee who has reasonable cause to believe a student  
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. Administrators shall promptly report to the Security Office.

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 including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports.

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 References:

<u>ORS 161.015</u>	<u>OAR 581-021-0050 to -0075</u>
<u>ORS 166.210 - 166.370</u>	<u>OAR 581-053-0010 (5)</u>
<u>ORS 166.382</u>	<u><del>OAR 581-053-0015 (7)(k)</del> <u>OAR 581-053-0230(9)(k)</u></u>
<u>ORS 332.107</u>	<u><del>OAR 581-053-0545 (4)(c),(w)</del> <u>OAR 581-053-0330(1)(r)</u></u>
<u>ORS 339.115</u>	<u><del>OAR 581-053-0550 (5)(y)</del> <u>OAR 581-053-0430(17)</u></u>
<u>ORS 339.240</u>	<u>OAR 581-053-0531(16)</u>
<u>ORS 339.250</u>	<u>OAR 581-053-0630</u>
<u><del>ORS 339.260</del></u>	
<u>ORS 339.315</u>	
<u>ORS 339.327</u>	
<u><del>ORS 809.060</del><u>135</u></u>	
<u>ORS 809.260</u>	

Gun-Free School Zones Act of 1990, 18 U.S.C. Sections 921(a)(25), (26) and 922(q); as amended by P.L. 104-208, Section 101(f) (1996) and P.L. 103-322, Section 320904 (1994).

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 100-

~~476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997). [P.L. 94-142 is a well-known "short" reference to this federal legislation.]~~

Youth Handgun Safety Act, 18 U.S.C., Sections 922(x) and 924(a)(6).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.

Cross Reference:

Policy JHFDA - Suspension of Driving Privileges