
2013 Summer Board Conference




School Safety

Presented by:


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School Safety




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Agenda



- Legal Issues
 - Student Specific Laws
 - Staff Specific Laws
- Planning and Preparation
- Liability Principles and their Application

General Legal Issues



- Guns in school:
 - For students?
 - For staff?
 - For members of the public?

Student Legal Issues



- What if a student is on probation for a violent crime?
 - Juvenile Department Reports under ORS § 419A.015
 - District responsibility upon receipt?

Student Legal Issues




- What if a student has a threatening list of 'targets'?
 - Reporting requirements under ORS § 339.327

Student Legal Issues




- But what about bullying?
 - ORS § 339.351 through 339.364

Student Legal Issues




- What to do with generally dangerous students?
 - ORS § 339.250 – suspension and expulsion
 - Be aware of Special Education issues

Student Legal Issues




- What about student athletics?
 - ORS § 336.479 – physicals
 - ORS § 336.485 - concussions

Student Legal Issues




- What about the scourge of secret societies?
 - Don't worry, ORS § 339.885 has you covered

Staff Legal Issues




- Which employees have to get background checks?
 - ORS § 326.607 – Authority for background checks

Staff Legal Issues



- What about grooming and child abuse?
 - ORS § 339.351 to 339.364

Planning Considerations



- Emergency management plans?
 - What does it cover?
 - Who do you involve?
- Facilities planning?

Liability Considerations



- Negligence standard under the law:
 - *Fazzolari v. Portland Public Schools*
 - Negligence *per se*?
- Defenses available?
 - Discretionary immunity - ORS § 30.265 *et seq*

Questions?



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