

Oregon School Boards Association Selected Sample Policy

Code: JFCG/JFCH/JFCI ✓
Adopted:

Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems**

Student ~~[substance abuse,]~~ possession, use, distribution or sale of tobacco products, ~~or~~ inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia ~~for~~ any substance purported to be an unlawful drug, on or near any district property or grounds, including parking lots, or while participating in school-sponsored activities is prohibited and will result in disciplinary action. If possession, use, distribution or sale occurred near district grounds, disciplinary action ~~[will]~~ (may) include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). If possession, use, distribution or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student (may) ~~[shall]~~ be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.

A referral to community resources and/or cessation programs designed to help the student overcome tobacco product, inhalant delivery system, alcohol or unlawful drug use may also be made. The cost of such programs are the individual responsibility of the parent and the private health care system.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all district grounds, including parking lots, at school-sponsored activities and in district vehicles.

Any person under age ~~18~~ 21 possessing a tobacco product or inhalant delivery system ~~product~~ on district property, in a district facility or while attending a district-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under ~~18~~ 21 years of age is in violation of state law and is subject to a court-imposed fine.

An "unlawful drug" is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy and any accompanying administrative regulation.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of district property is a Class A felony, as provided by ORS 475.904.

END OF POLICY

Legal Reference(s):

<u>ORS 153.018</u>	<u>ORS 339.250</u>	<u>OAR 581-022-0413</u> 2045
<u>ORS 161.605</u>	<u>ORS 339.883</u>	<u>OAR 581-053-0230(9)(s)</u>
<u>ORS 161.625</u>	<u>ORS 431.840</u>	<u>OAR 581-053-0330(1)(m)-(o)</u>
<u>ORS 163.575</u>	<u>ORS 431.845</u>	<u>OAR 581-053-0430(12)-(14)</u>
ORS 167.400	<u>ORS 431A.175</u>	<u>OAR 581-053-0531(11)-(13)</u>
<u>ORS 332.107</u>	<u>ORS 433.835 to -433.990</u>	<u>OAR 581-053-0630</u>
<u>ORS 336.067</u>	<u>ORS Chapter 475</u>	<u>OAR 584-020-0040</u>
<u>ORS 336.222</u>		
<u>ORS 336.227</u>	<u>OAR 581-021-0050 to -0075</u>	<u>SB 754 (2017)</u>
<u>ORS 339.240</u>	<u>OAR 581-021-0110</u>	

Controlled Substances Act, 21 U.S.C. § 812 ~~(2006)~~(2017); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 ~~(2006)~~(2017).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 ~~(2006)~~(2017).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 ~~(2006)~~(2017).