

**Greater Albany SD 8J
Board Policy**

Code: **JFCG**
Adopted: 5/12/86
Revised/Readopted: 3/12/01; 7/12/04; 2/28/05;
4/13/07; 8/13/07; 1/13/14;
8/24/15; 3/12/18
Orig. Code(s): BP 5321

**Prohibited Use, Possession, Distribution or Sale of Tobacco Products and
Inhalant Delivery Systems**

It is the district's obligation to protect the health, welfare and safety of students. To be consistent with Oregon law and district curriculum, student possession, use, distribution or sale of tobacco products or inhalant delivery systems in any form, is prohibited on district premises, at school sponsored activities, on or off district premises, on all district grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the district or otherwise while the student is under the jurisdiction of the district.

For the purpose of this policy "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff, in any form. This does not include USFDA approved tobacco products or other therapy products used for the purpose of cessation.

For the purpose of this policy, "inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

Violation of this policy will lead to appropriate disciplinary action up to and including expulsion for students. When considering disciplinary action for a student with disabilities, , the district must follow the requirements of Board Policy JGDA/JGEA, Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternate educational setting. Community or school service may be required. A referral to law enforcement may be made. Parents or guardians* will be notified of all violations involving their student and subsequent action taken by the school. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the building principal, attendance and completion of such programs, or successful completion of a behavior modification plan, may be allowed as a substitute for, or as part of student discipline. If modifying the student's discipline through the student's voluntary participation in tobacco cessation classes, the student does so at the student's or parent's or guardian's own expense.

In accordance with Oregon law, any person under age 21 possessing a tobacco product or inhalant Delivery system 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 21 years of age is in violation of state law and subject to a court imposed fine.

Violation of this policy by non-students may result in the individual's removal from district property. The district reserves the right to restrict access to district property by individuals who are repeat offenders.

The superintendent will develop administrative regulations as needed to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 125.005\(4\)](#)
[ORS 125.300-125.325](#)
[ORS 163.575](#)
[ORS 167.400](#)
[ORS 332.107](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 339.240](#)
[ORS 339.250](#)

[ORS 419B.373](#)
[ORS 431.840](#)
[ORS 431.845](#)
[ORS 433.835 - 433.990](#)
[OAR 581-015-0005\(18\)](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-021-0110](#)
[OAR 581-022-0413](#)
[OAR 581-053-0015](#)
[OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)
[OAR 581-053-0550\(5\)\(q\)-\(s\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084

Cross Reference(s):

GBK - Tobacco Use
KGC - Tobacco Use on District Premises by Public