

Baker School District 5J

Code: **JFCG/JFCH/JFCI**
Adopted: 1/15/08
Orig. Code(s): JFCG/JFCH/JFCI

Use of Tobacco, Alcohol or Drugs

Student substance abuse, possession, use, distribution or sale of tobacco, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on district grounds 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 or while participating in school-sponsored activities, students will be subject to disciplinary action. If possession or use occurred within a 1000' of school grounds, disciplinary action will 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 or prom. 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 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, 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, alcohol or unlawful drugs are prohibited on district grounds, at school-sponsored activities and in district vehicles.

Any person under age 18 possessing a tobacco product commits a Class D violation and is subject to a court-imposed fine, as provided by ORS 167.400.

Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device, to a person under 18 years of age commits a Class A violation and is subject to a court-imposed fine, as provided by ORS 163.575.

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 JHCD - Administering Noninjectable Medicines to Students, JHCDA - Administering Injectable Medicines to Students and any accompanying administrative regulations.

Local Law Enforcement acting on reasonable suspicion may request that students participate in a Breathalyzer screening for alcohol at school or prior to or during a school sponsored event. If a student refuses, he/she may be subject to school discipline and or referral to law enforcement officials. Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony.

END OF POLICY

Legal Reference(s):

ORS 153.018	OAR 581-021-0050 to -0075
ORS 161.605	OAR 581-021-0110
ORS 161.625	OAR 581-022-0413
ORS 163.575	OAR 581-053-0015
ORS 167.400	OAR 581-053-0545(4)(c)(R)-(T)
ORS 332.107	OAR 581-053-0550(5)(q)-(s)
ORS 336.067	OAR 584-020-0040
ORS 336.222	
ORS 336.227	
ORS 339.240	
ORS 339.250	
ORS 339.865	
ORS 431.840	
ORS 431.845	
ORS 433.835 - 433.990	
ORS Chapter 475	

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).