

Clackamas Education Service District

Code: **GBK/JFCG/KGC**
Adopted: 5/20/09
Revised/Readopted: 10/18/17
Orig. Code: GBK

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

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

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, CESD 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 alternative educational setting. Community or school service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and subsequent action taken by CESD. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the administrator in charge, 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.

Violation of this policy by nonstudents may result in the individuals removal from CESD property. CESD reserves the right to restrict access to CESD property by individuals who are repeat offenders.

The use, distribution or sale of tobacco or cannabis products or inhalant delivery systems by staff and all others is prohibited on ESD premises in any building or facility, on ESD grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the ESD, school or public charter school and at all ESD-sponsored activities. Staff violations of this policy may lead to discipline up to and including termination.

For the purpose of this policy, "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew, or snuff, in any form and cannabis products is defined to include, but not limited to, any product, to be inhaled or ingested or absorbed, that contains cannabis and/or the chemical compound THC. 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.

This policy shall be enforced at all times. The superintendent will develop administrative regulations as needed to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 167.400](#)
[ORS 334.125](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 339.240](#)
[ORS 339.250](#)

[ORS 339.883](#)
[ORS 431.840](#)
[ORS 433.835 - 433.990](#)
[OAR 581-021-0050 to -0075](#)
[OAR 581-021-0110](#)

[OAR 581-022-0413](#)
[OAR 581-053-0230\(9\)\(s\)](#)
[OAR 581-053-0330\(1\)\(m\)](#)
[OAR 581-053-0430\(12\)](#)
[OAR 581-053-0531\(11\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

Cross Reference(s):

JFCG/KGC/GBK - Prohibited Use, Possession, Distribution or Sale of Tobacco and Cannabis Products and Inhalant Delivery Systems
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