

Hermiston School District 8R

Code: **JFCG/JFCH/JFCI**
Adopted: 2/7/03
Revised/Readopted: 7/12/05
Orig. Code(s): IGAEB

Student Use of Tobacco, Alcohol or Drugs**

The possession, use, sale or supply of tobacco, alcohol or any narcotics including marijuana or any other dangerous/illegal drug, or any substance purported to be a drug, on or about the school premises or at any school-sponsored activity is prohibited.

Additionally, unlawful delivery of a controlled substance to a student, or minor, within 1,000 feet of school property is a Class A felony as provided by ORS 163.575.

Also, Oregon law specifies any person under the age of 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 tobacco-burning device, to a person under 18 years of age is commits a Class A violation and is subject to a court-imposed fine, as provided by ORS 163.575.

The district will administer all law and regulation pertaining to illegal drugs, controlled substances and tobacco. Violations will involve appropriate health and law enforcement agencies in, at minimum, a consultative and investigative capacity. Parents will be notified and held responsible for the cost of any assessments and/or treatment of the violator.

Violations of the law/regulation covering the unlawful possession, use, sale or supply of drugs or alcohol will result in suspension, or expulsion, from school. A suspended violator/student may be readmitted to school upon proof of scheduling assessment and/or treatment by a qualified substance abuse counselor. The length of suspension will not exceed the maximum number of days established by law. The student must fulfill the recommendations or terms of his/her assessment, or complete the original terms of suspension or expulsion.

Violations of law or district policy involving tobacco possession, use, distribution or sale by a student will result in building disciplinary action, suspension or expulsion of the violator.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 161.605](#)
[ORS 161.625](#)
[ORS 163.575](#)
[ORS 167.400](#)
[ORS 332.107](#)
[ORS 336.067](#)
[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](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-022-0413](#)
[OAR 581-053-0015](#)
[OAR 581-053-0545 \(4\)\(c\)\(R,S,T\)](#)
[OAR 581-053-0550 \(5\)\(t,u,v\)](#)
[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V; 21 CFR 1308.11-1308.15 (2001).
Pro-Children Act of 1994, 20 U.S.C. Sections 6081-6084.
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.