

Lane Education Service District Policy

Code: **GBK/JFCG/KGC**
Adopted: 6/14/11

Tobacco-Free Environment

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff and others on ESD property and at school-sponsored activities. In light of scientific evidence that use of tobacco is hazardous to health, and to be consistent with ESD curriculum and Oregon law, it is the intent of the Board to establish a tobacco-free environment. Consequently, student possession, use, distribution or sale of tobacco, including any smoking device, on ESD premises, at district-sponsored activities on or off ESD premises, in ESD-owned, rented or leased vehicles, or otherwise while the student is under the jurisdiction of the school, is prohibited. Tobacco use, distribution or sale by staff on ESD property, at ESD sponsored events, in ESD owned, rented or leased vehicles or otherwise while on duty on or off ESD premises is prohibited. Tobacco use, distribution or sale by others on ESD property, in ESD vehicles or at ESD sponsored events on or off ESD premises is also prohibited. Staff and/or all others authorized to use private vehicles to transport ESD students to school-sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

For the purposes of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew, snuff, in any form, nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substances or any other tobacco substitute (e.g., e-cigarettes). This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

Clothing, bags, hats and other personal items used by staff and students to display, promote or advertise tobacco products are prohibited on ESD grounds, at school-sponsored activities or in ESD vehicles. Tobacco advertising is prohibited in all school-sponsored publications in all school buildings and at all school-sponsored events. ESD acceptance of gifts or funds from the tobacco industry is similarly prohibited.

Student violations of this policy will lead to disciplinary action up to and including expulsion. Students may also be subject to removal from any or all extracurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). School and/or community service may be required. A referral to law enforcement may be made. Parents shall be notified of all violations involving their student and action taken by the school.

Staff violations of this policy will lead to disciplinary action up to and including dismissal. When considering disciplinary action for a child with disabilities, the ESD 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. Violations by others will result in appropriate sanctions as determined and imposed by the superintendent or Board.

Information about community resources and/or cessation programs to help staff and students overcome tobacco use will be provided.

The ESD will promote cessation resources and other positive alternatives to discipline. Tobacco use cessation programs may be established at ESD schools. Attendance or completion of tobacco use cessation programs by students may be allowed as a substitute to, or as a part of student discipline for possession, use, distribution or sale of tobacco at the discretion of the principal. Attendance at cessation programs not offered by the ESD is voluntary and related costs are the individual responsibility of the staff member, student and his/her parent and private health-care system.

As part of the ESD's tobacco use prevention activities, the superintendent shall ensure that tobacco use instructional programs as recommended by the Oregon Department of Human Services, Health Services, Tobacco Prevention and Education Program and the Oregon Department of Education are an integral part of its drug and alcohol prevention curriculum. Programs must be integrated within the health education program and age- and developmentally-appropriate instruction provided at every level, pre-kindergarten through grade 12, with particular emphasis on grades six through eight. It is the expectation of the Board that tobacco use prevention concepts will be integrated into the instruction of other subject areas as practicable.

Staff responsible for teaching tobacco use prevention will be encouraged to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, effective instructional techniques and program-specific activities.

The superintendent shall consult with local officials to promote enforcement of law that prohibits the possession of tobacco by minors on or off ESD grounds.

This policy shall be enforced at all times. The superintendent will develop administrative regulations as necessary to implement this policy, including provisions for notification of the ESD's policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs, signs at appropriate locations; disciplinary consequences; and procedures for filing and handling complaints about violations of the ESD's policy.

The superintendent shall ensure that the ESD's tobacco use prevention program, policies, curricula, training and cessation programs are evaluated at regular intervals. The input of students, staff, parents and others from the community will be encouraged.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.222](#)

[ORS 336.227](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 433.835 - 433.990](#)

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