

Malheur Education Service District

Code: **KGC/GBK**
Adopted: 9/20/05
Revised/Readopted: 7/15/14; 2/20/18
Orig. Code(s): KGC/GBK/JFCG

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

To be consistent with Oregon law, the use, distribution or sale of tobacco 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.

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. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

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 products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

Violation of this policy by staff will result in discipline up to and including dismissal.

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

This policy shall be enforced at all times.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)
[ORS 336.227](#)
[ORS 339.883](#)

[ORS 431A.175](#)
[ORS 433.835 to -433.990](#)
[OAR 581-021-0110](#)

[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 (2017).

Cross Reference(s):

JFCG/JFCH/JFCI - Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems
GBK/KGC - Prohibited Use, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

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