

# Multnomah Education Service District

Code: **JFCG/JFCH/JFCI**  
Adopted: 12/17/91  
Revised/Readopted: 9/20/94; 8/16/05; 2/19/13;  
5/07/14; 11/17/15; 11/21/17  
Orig. Code(s): 6130; 6131

## **Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems**

The use of tobacco (in any way or form), alcohol and the abuse of drugs are health hazards.

Student possession, use, distribution or sale of tobacco products, inhalant delivery systems, tobacco paraphernalia, alcohol or alcohol paraphernalia, unlawful drug paraphernalia, or any substance purported to be an unlawful drug at any time, including non-school hours, is prohibited on or near any MESD premises, including parking lots, in an MESD vehicle or at MESD-sponsored activities on or off MESD premises.

Student possession, delivery or sale of unlawful drugs or drug paraphernalia, and the abuse of drugs, at any time, including non-school hours, is prohibited on MESD premises, in an MESD vehicle or at MESD-sponsored activities on or off MESD premises. If possession or use occurred near MESD grounds, disciplinary action may include removal from any or all extracurricular activities and forfeiture of any school honors or privileges. A student may be referred to law enforcement officials. Parents will be notified.

Clothing, bags, hats or other personal items used to display, promote or advertise tobacco products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all MESD grounds, including parking lots, at MESD sponsored activities and in ESD vehicles.

Students shall be encouraged not to smoke or use tobacco in any way or form and shall be instructed in the harmful effects of such use. Any person under age 21 possessing a tobacco product or inhalant delivery system on ESD property, in an ESD facility or while attending an ESD-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under 21 years of age is in violation of state law and is subject to a court imposed fine. Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of MESD property is a Class A felony, as provided by Oregon Revised Statute (ORS) 475.904

An “unlawful drug” is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PSP). As used in this policy, unlawful drug means possession, use, sale or supply or prescription and nonprescription drugs in violation of Board Policy and any accompanying regulations.

Students shall be encouraged not to abuse drugs and shall be instructed in the harmful effects of the abuse of drugs including alcohol.

The superintendent and cabinet shall develop administrative regulations for implementing.

END OF POLICY

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**Legal Reference(s):**

[ORS 153.018](#)

[ORS 161.605](#)

[ORS 161.625](#)

[ORS 163.575](#)

[ORS 334.125\(7\)](#)

[ORS 336.067](#)

[ORS 336.222](#)

[ORS 336.227](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 339.883](#)

[ORS 431.840](#)

[ORS 431.845](#)

[ORS 431A.175](#)

[ORS 433.835 to -433.990](#)

[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)

[OAR 581-021-0110](#)

[OAR 581-022-2045](#)

[OAR 581-053-0230\(9\)\(s\)](#)

[OAR 581-053-0330\(1\)\(m\)-\(o\)](#)

[OAR 581-053-0430\(12\)-\(14\)](#)

[OAR 581-053-0531\(11\)-\(13\)](#)

[OAR 581-053-0630](#)

[OAR 584-020-0040](#)

SB 754 (2017)

Controlled Substances Act, 21 U.S.C. § 812 (2017); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2017).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2017).