

Myrtle Point School District 41

Code: **JFCG/JFCH/JFCI**
Adopted: 11/25/91, 4/09/01
Readopted: 6/14/04
Orig. Code(s): JFCH-I, JFCI

Use of Tobacco, Alcohol or Drugs

It is the district's obligation to protect the health, welfare and safety of its students. The use of facilities must be maintained with reasonable assurance that there is not danger from fire or litter. In light of scientific evidence that smoking is hazardous to health and to be consistent with the content of curriculum, the following rule shall be effective:

The possession or use of tobacco in any form on the school premises or while attending school functions or school-sponsored activities, is prohibited and unlawful.

Tobacco discovered at school will be confiscated, parents notified and the matter referred to proper law enforcement agencies.

Intoxication, consumption, possession or sale of alcoholic beverages on or about the school premises or at any school-sponsored activity is prohibited and unlawful.

Violations will result in suspension or expulsion and will be referred to proper law enforcement agencies. Violations occurring at times other than during school hours or at school activities on school properties may be referred to the proper law enforcement agencies. These agencies may be involved in a consultive and investigative capacity. Parents will be notified.

Substance abuse or the possession, use, sale or supply of any unlawful drug, including drug paraphernalia, or any substance purported to be an unlawful drug on or near the district premises or at any school-sponsored activity is prohibited.

The following definitions apply to this policy:

"Substance abuse" means the use of any substance with abuse potential which is toxic, corrosive, an irritant, a strong sensitizer, flammable, combustible, generates or is used to generate pressure, if such substance or mixture of substances is used in a manner that they may cause substantial personal injury or severe illness when induced by any means into the human body;

"Unlawful drug" means any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy JHCD - Administering Noninjectable Medicines to Students and any accompanying administrative regulation.

"Drug paraphernalia" means all equipment, products and materials of any kind which are marketed for the use or designed for the use in manufacturing, compounding, producing, processing, preparing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise inducing a controlled substance or intoxicant into the human body.

If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near school grounds, disciplinary action may include removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). Appropriate health and law enforcement agencies may be involved in at least a consultative and investigative capacity. Parents will be notified.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony.

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 581-021-0110](#)
[OAR 581-022-0413](#)
[OAR 581-053-0015](#)
[OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)
[OAR 581-053-0550\(5\)\(q\)-\(s\)](#)
[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).