

Use of Tobacco, Alcohol or Drugs

Student substance abuse, possession, use, distribution or sale of tobacco, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near district grounds or while participating in school-sponsored activities is prohibited and will result in disciplinary action. For the purpose of this policy “tobacco is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette and any other smoking product, and spit tobacco, also known as smokeless tobacco, dip, chew and snuff in any form.

If possession, use, distribution or sale occurred near district grounds, disciplinary action may include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). If possession, use, distribution or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student may be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.

A referral to community resources and/or cessation programs designed to help the student overcome tobacco, alcohol or unlawful drug use may also be made. The cost of such programs are the individual responsibility of the parent and the private health-care system.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco, alcohol or unlawful drugs are prohibited on district grounds, at school-sponsored activities and in district vehicles.

Any person under age 18 possessing a tobacco product commits a Class D violation and is subject to a court-imposed fine up to \$100 as provided by ORS 167.400.

Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco burning device, to a person under 18 years of age commits a Class A violation and is subject to a fine of not less than \$100 and not exceeding \$600, as provided by ORS 163.575 .

An unlawful drug is 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, JHCDA - Administering Injectable Medicines to Students and any accompanying administrative regulations.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony. Punishment is a maximum of 20 years of imprisonment \$300,000 fine or both.

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).