

North Santiam School District

Code: **JFCG/JFCH/JFCI**
Adopted: 7/01/96
Revised/Readopted: 2000; 2003; 11/20/08;
5/15/14; 1/15/15; 9/17/15;
10/19/17
Orig. Code(s): JFCG/JFCH/JFCI

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

Student possession, use, distribution or sale of tobacco products or inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug on or near any district property or grounds, including parking lots, or while participating in school-sponsored activities is prohibited and will result in disciplinary action up to and including expulsion, and if appropriate, a referral to law enforcement officials. Additional 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.). Parents will be notified of all violations involving their student and subsequent action taken by the school.

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

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, or clove cigarette and any other smoking product, spit tobacco (also known as smokeless, dip, chew, snuff, in any form). It also includes any equipment or material brought on district property for use with tobacco or other smoking substances. This does not include USFDA-approved tobacco or other therapy products used for the purpose of cessation.

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 USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

Any person under age 18 possessing a tobacco or inhalant delivery system product is in violation of state law and is subject to a court-imposed fine.

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

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, or a tobacco-burning or inhalant delivery system device, to a person under 18 years of age is in violation of state law and is subject to a court-imposed fine.

An unlawful drug is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, methamphetamine, 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 and any accompanying administrative regulation.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of district property is a Class A felony, as provided by ORS 475.904.

District administrators acting on reasonable suspicion may request that students participate in a Breathalyzer screening for alcohol at school or prior to or during a school sponsored event. If a student refuses, he/she may be subject to school discipline and or referral to law enforcement officials.

END OF POLICY

Legal Reference(s):

ORS 153.018	ORS 339.883	OAR 581-022-2045
ORS 161.605	ORS 431.840	OAR 581-053-0230(9)(s)
ORS 161.625	ORS 431.845	OAR 581-053-0330(1)(m)-(o)
ORS 163.575	ORS 431A.175	OAR 581-053-0430(12)-(14)
ORS 332.107	ORS 433.835 to -433.990	OAR 581-053-0531(11)-(13)
ORS 336.067	ORS Chapter 475	OAR 581-053-0630
ORS 336.222		OAR 584-020-0040
ORS 336.227	OAR 581-021-0050 to -0075	
ORS 339.240	OAR 581-021-0110	SB 754 (2017)
ORS 339.250		

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).