



Code: **JFCG**  
Adopted: 1/04/07  
Revised/Readopted: 1/12/11; 9/09/15; 6/11/18  
Orig. Code(s): JFCG/KGC/GBK

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

### **Overview**

To be consistent with Oregon Law OAR 581-021-0110 and district curriculum. The board therefore establishes an environment free of tobacco, smoke, aerosols and/or vapors containing inhalants.

No student is permitted to use or possess a tobacco product, tobacco paraphernalia or an inhalant delivery system or product in any building, facility, or vehicle owned, leased, rented, or chartered by the school district, school, or public charter school, or on school grounds, athletic grounds, or parking lots, or at school-sponsored activities on or off district premises. No student, staff member, or school visitor is permitted to smoke, inhale, dip, chew, sell or distribute tobacco products or inhalant delivery systems or products at any time, including non-school hours, in any building, facility, or vehicle owned, leased, rented, or chartered by the school district, school or public charter school, or on school grounds, athletic grounds, or parking lots, or at school-sponsored activities on or off district premises. Staff or others authorized to use any private vehicle to transport district students to school-sponsored activities are prohibited from using tobacco products and inhalant delivery system products or similar devices in those vehicles while students are under their care.

Any person under age 21 possessing a tobacco product or inhalant delivery system on district property, in a district facility or while attending a district-sponsored activity is in violation of state law and is subject to a court-imposed fine.

For the purposes of this rule “tobacco product” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco, also known as smokeless, dip, chew, and snuff, in any form. This does not include USFDA-approved tobacco products or other therapy products marked 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 USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

### **Advertising**

Clothing, bags, hats and other personal items used by staff and students to display, promote or advertise tobacco products or inhalant delivery systems are prohibited on district grounds or premises, including

parking lots, at school-sponsored activities or in district vehicles. Tobacco product or inhalant delivery system product advertising is prohibited, on all district premises, including parking lots, in all school-sponsored publications and at all school-sponsored events. District acceptance of gifts or funds from the tobacco product or inhalant delivery system product industries is similarly prohibited. The district will not contract with other public or private alternative schools that allow student use of tobacco products or inhalant delivery systems or products on campus.

### **Student Violations**

Student violations of this policy will lead to disciplinary action up to and including expulsion. Students may also be subject to removal from any or all extracurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). School and/or community service may be required. A referral to law enforcement may be made if deemed appropriate. Parents shall be notified of all violations involving their student and action taken by the school. When considering disciplinary action for a student with disabilities, the district must follow the requirements of Board policy JGDA/JGEA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternative educational setting.

### **Staff Violations**

Staff violations of this policy will lead to disciplinary action up to and including dismissal.

Violations by others will result in appropriate sanctions as determined and imposed by the superintendent or board.

### **District Responsibility**

Information about community resources and/or cessation programs to help staff and students overcome tobacco use will be provided (i.e., the Oregon Tobacco Quit Line (800-784-8669, 877-266-3863 - Spanish and 877-777-6534 - TTY), other cessation resources and positive alternatives to discipline). Cessation programs may be established at district schools. Attendance or completion of cessation programs by students may be allowed as a substitute to, or as a part of student discipline for possession, use, distribution or sale of tobacco products or inhalant delivery systems or products at the discretion of the principal. Attendance at cessation programs not offered by the district is voluntary and related costs are the individual responsibility of the staff member, student and his/her parent and private health care system.

As part of the district's prevention activities, the superintendent shall ensure that instructional programs as recommended by the Oregon Department of Human Services, Health Services, Tobacco Prevention and Education Program and the Oregon Department of Education, are an integral part of its drug and alcohol prevention curriculum. Programs must be integrated within the health education program and age-and developmentally-appropriate instruction provided at every level, pre-kindergarten through grade 12, with particular emphasis on grades six through eight. It is the expectation of the board that prevention concepts will be integrated into the instruction of other subject areas as practicable.

Staff responsible for teaching prevention will be encouraged to collaborate with agencies and groups that conduct prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of use of tobacco products or inhalant delivery systems or products effective instructional techniques and program-specific activities.

The superintendent shall consult with local officials to promote enforcement of law that prohibits the possession of tobacco products or inhalant delivery systems or products by minors on or off district grounds.

The superintendent will develop administrative regulations as necessary to implement this policy, including provisions for notification of the district's policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs, signage at appropriate locations; disciplinary consequences; and procedures for filing and handling complaints about violations of the district's policy.

The superintendent shall ensure that the district's prevention program, policies, curricula, training and cessation programs are evaluated at regular intervals. The input of students, staff, parents and others from the community will be encouraged.

END OF POLICY

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**Legal Reference(s):**

[ORS 167.400](#)  
[ORS 332.107](#)  
[ORS 336.222](#)  
[ORS 336.227](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 339.883](#)  
[ORS 431.840](#)  
[ORS 433.835 to- 433.990](#)  
  
[OAR 581-021-0050 to -0075](#)  
[OAR 581-021-0110](#)

[OAR 581-022-0413](#)  
[OAR 581-053-0230\(9\)\(s\)](#)  
[OAR 581-053-0330\(1\)\(m\)](#)  
[OAR 581-053-0430\(12\)](#)  
[OAR 581-053-0531\(11\)](#)  
[OAR 581-053-0630](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

**Cross Reference(s):**

GBK/KGC - Prohibited Use, Distribution or Sale of Tobacco Products or Inhalant Delivery Systems  
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