

Tobacco-Free Environment

The Board recognizes its responsibility to promote the health, welfare, and safety of students, staff, and others on ESD property and at ESD-sponsored activities. In light of scientific evidence that use of tobacco is hazardous to the health, and to be consistent with ESD curriculum and Oregon law, student possession, use, distribution, or sale of tobacco in any form on ESD premises, at school-sponsored activities on or off ESD premises, in ESD owned, rented or leased vehicles, or otherwise while the student is under the jurisdiction of the ESD, is prohibited.

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, spit tobacco, also known smokeless tobacco, dip, chew or snuff in any form, nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substances or any other tobacco substitute (e.g., e-cigarettes). This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

Clothing, bags, hats, and other personal items used by staff and students to display, promote, or advertise tobacco products are prohibited on ESD grounds, at ESD-sponsored activities or in ESD owned, rented or leased vehicles. Tobacco advertising is prohibited in all ESD-sponsored publications and at all ESD-sponsored events. ESD acceptance of gifts or funds from the tobacco industry is similarly prohibited. The ESD will not contract with other public or private alternative schools that allow student tobacco use on campus.

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. ESD and/or community service may be required. A referral to law enforcement may be made. Parents shall be notified of all violations involving their student and any action taken by the ESD.

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.

The ESD will promote cessation resources and other positive alternatives to discipline. Tobacco use cessation programs may be established. Attendance or completion of tobacco use 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 at the discretion of the Superintendent. Attendance at cessation programs not offered by the ESD is voluntary and related costs are the individual responsibility of the staff member, student and his/her parent, and private health care system.

When considering disciplinary action for a child with disabilities, the ESD 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. Violations by others will result in appropriate sanctions as determined and imposed by the Superintendent or Board.

As part of the ESD's tobacco use prevention activities, the Superintendent shall ensure that tobacco use 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 tobacco use prevention concepts will be integrated into the instruction of other subject areas as practicable.

Staff responsible for teaching tobacco use prevention will be encouraged to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, 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 by minors on or off ESD grounds.

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

The Superintendent shall ensure that the ESD's tobacco use 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

Legal Reference(s):

ORS 334.125	OAR 581-021-0050 to -0075
ORS 336.222	OAR 581-021-0110
ORS 336.227	OAR 581-022-0413
ORS 339.240	OAR 581-053-0015
ORS 339.250	OAR 581-053-0545(4)(c)(R)-(T)
ORS 433.835 - 433.990	OAR 581-053-0550(5)(q)-(s)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

Cross Reference(s):

JFCG/KGC/GBK - Tobacco-Free Environment
KGC/GBK/JFCG - Tobacco-Free Environment