

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

Student substance abuse, 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 or while participating in school-sponsored activities is prohibited and will result in disciplinary action. 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, 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 shall 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 product, inhalant delivery system, 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 products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all district grounds, at school-sponsored activities and in district vehicles.

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.

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, a tobacco-burning or inhalant delivery system device, to a person under 21 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, 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 regulations.

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

END OF POLICY

Legal References:

ORS 153.018	OAR 581-021-0050 to -0075
ORS 161.605	OAR 581-021-0110
ORS 161.625	OAR 581-022-2045
ORS 163.575	OAR 581-053-0230(9)(s)
ORS 332.107	OAR 581-053-0330(1)(m)-(o)
ORS 336.067	OAR 581-053-0430(12)-(14)
ORS 336.222	OAR 581-053-0531(11)-(13)
ORS 336.227	OAR 581-053-0630
ORS 339.240	OAR 584-020-0040
ORS 339.250	
ORS 339.883	SB 754 (2017)
ORS 431.840	
ORS 431.845	
ORS 431A.175	
ORS 433.835 -.990	
ORS Chapter 475	

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).