

Gladstone School District 115

Code: JFCG/JFCH/JFCI
Adopted: 3/10/04
Revised/Readopted: 2/10/21
Orig. Code: JFCHA/JFCIA

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

Student abuse of substances, 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. If possession, use, distribution, or sale occurred near district grounds, disciplinary action will 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. The district reserves the right to administer alcohol-saliva tests to students attending co-curricular activities who demonstrate reasonable suspicion. 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.

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed 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 products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

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, including parking lots, 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

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

Guidance for consequences are addressed in student handbooks and/or student codes of conduct.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 161.605](#)
[ORS 161.625](#)
[ORS 163.575](#)
[ORS 332.107](#)
[ORS 336.067](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.883](#)
[ORS 431.845](#)
[ORS 431A.175](#)
[ORS 431A.178](#)
[ORS 433.835 - 433.990](#)
[ORS Chapter 475](#)

[OAR 581-021-0050 - 0075](#)

[OAR 581-021-0110](#)
[OAR 581-022-2045](#)
[OAR 581-053-0230\(9\)\(s\)](#)
[OAR 581-053-0330\(1\)\(m\)-\(o\)](#)
[OAR 581-053-0430\(12\)-\(14\)](#)
[OAR 581-053-0531\(11\)-\(13\)](#)
[OAR 581-053-0630](#)
[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7118 (2012).