Jefferson County Education Service District

Code: KGC/GBK/JFCG
Adopted: 5/04/11

Tobacco-Free Environment

It is the school's obligation to protect the health, welfare and safety of students. In light of scientific evidence that the use of tobacco is hazardous to 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 school 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 as smokeless, dip, chew, 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.

Tobacco use, distribution or sale by staff and all others is also prohibited on ESD premises in any building, facility, or vehicle owned, leased, rented or chartered by the ESD, school, or public charter school and at all school-sponsored activities.

Violation of this policy will lead to appropriate disciplinary action up to and including expulsion for students. 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. Community or school service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and subsequent action taken by the school. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the principal, attendance and completion of such programs, or successful completion of a behavior modification plan, may be allowed as a substitute for, or as part of student discipline.

Violation of this policy by nonstudents may result in the individuals removal from ESD property. The ESD reserves the right to restrict access to ESD property by individuals who are repeat offenders.

This policy shall be enforced at all times. The superintendent will develop administrative regulations as needed to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 334.125
ORS 336.222
ORS 336.227
ORS 339.240
ORS 339.250

OAR 581-021-0050 to -0075
OAR 581-021-0110
OAR 581-022-0413
OAR 581-053-0015
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):

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