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

It is the public charter school's obligation to protect the health, welfare and safety of students. To be consistent with Oregon law and the school's curriculum, student possession, use, distribution or sale of tobacco products or inhalant delivery systems in any form on or off public charter school premises, at public charter school-sponsored activities, on all school grounds, including parking lots, in public charter school-owned, rented or leased vehicles or otherwise, or while a student is under the jurisdiction of the public charter school is prohibited.

The use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on public charter school premises, in any building or facility, on school grounds, including parking lots, in any vehicle owned, rented or chartered by the school or school district and at all school-sponsored or district-sponsored activities.

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 USFDA-approved tobacco products or therapy products used for the purpose of cessation.

Violation of this policy will lead to appropriate disciplinary action up to and including expulsion for students. When considering disciplinary action for a student with disabilities, the public charter school 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 public charter 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 public charter school administrator, 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 public charter school property. The public charter school reserves the right to restrict access to public charter school property by individuals who are repeat offenders.

END OF POLICY

Legal Reference(s):

[ORS 167.400](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 338.115\(w\)](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.883](#)
[ORS 431.840](#)
[ORS 433.835 - 433.990](#)
[OAR 581-021-0050 to -0075](#)
[OAR 581-022-0413](#)
[OAR 581-021-0110](#)
[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 (2006).