

**Jefferson County  
Education Service District**

Code: **JFCG/JFCH/JFCI**  
Adopted: 5/7/08

**Use of Tobacco, Alcohol or Drugs**

Student substance abuse, possession or use of tobacco, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near district grounds or while participating in ESD-sponsored programs and activities is prohibited and will result in disciplinary action. If possession or use occurred on district grounds or while participating in ESD-sponsored programs and activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near district grounds, disciplinary action may include removal from any or all ESD programs and activities and forfeiture of any school honors or privileges. A student may be referred to law enforcement officials. Parents will be notified.

Any person under age 18 possessing a tobacco product commits a Class D violation and is subject to a court-imposed fine as provided by ORS 167.400.

No ESD employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through grade 12 students with whom the employee has contact as part of employee's ESD duties; or knowingly endorse or suggest the use of such drugs.

Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device, to a person under 18 years of age commits a Class A violation and is subject to a court-imposed fine as provided by ORS 163.575.

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 JHCD - Administering Noninjectable Medicines to Students, JHCDA - Administering Injectable Medicines to Students 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 475.999.

END OF POLICY

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**Legal Reference(s):**

[ORS 153.018](#)  
[ORS 161.605](#)  
[ORS 161.625](#)  
[ORS 163.575](#)  
[ORS 167.400](#)  
[ORS 334.125\(7\)](#)  
[ORS 336.067](#)  
[ORS 336.222](#)

[ORS 336.227](#)  
[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.865](#)  
[ORS 431.840](#)  
[ORS 431.845](#)  
[ORS 433.835 - 433.990](#)  
[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)  
[OAR 581-021-0110](#)  
[OAR 581-022-0413](#)  
[OAR 581-053-0015](#)  
[OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)  
[OAR 581-053-0550\(5\)\(q\)-\(s\)](#)  
[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).  
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).