\ Code:**GBK/JFCG/KGC**

Madrone Trail

Adopted:

Public Charter School

**Tobacco-Free   Environment**

It  is  the  public  charter  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  public  charter

school’s  curriculum  and  Oregon  law,  student  possession,  use,  distribution  or  sale  of  tobacco  in  any  form  on

public  charter  school’s  premises,  at  public  charter  school-sponsored  activities  on  or  off  public  charter

school’s  premises,  in  public  charter  school-owned,  rented  or  leased  vehicles,  or  otherwise  while  the  student

is  under  the  jurisdiction  of  the  public  charter  school  is  prohibited  at  all  times.

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  public  charter  school  premises

in  any  building,  facility,  or  vehicle  owned,  leased,  rented  or  chartered  by  the  public  charter  school  and  at

all  public  charter  school-sponsored  activities  at  all  times.

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  public  charter  school  must

follow  the  requirements  of  sponsoring  district  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.

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The  public  charter  school  administrator  will  develop  administrative  regulations  as  needed  to  implement

this  policy.

END  OF  POLICY

**Legal  Reference(s):**

[ORS](http://landru.leg.state.or.us/ors/336.html) [336](http://landru.leg.state.or.us/ors/336.html).222

[ORS](http://landru.leg.state.or.us/ors/336.html) [336](http://landru.leg.state.or.us/ors/336.html).227

[ORS](http://www.leg.state.or.us/ors/338.html) [338](http://www.leg.state.or.us/ors/338.html).115(j)

[ORS](http://landru.leg.state.or.us/ors/339.html) [339](http://landru.leg.state.or.us/ors/339.html).240

[ORS](http://landru.leg.state.or.us/ors/339.html) [339](http://landru.leg.state.or.us/ors/339.html).250

[ORS](http://landru.leg.state.or.us/ors/433.html) [433](http://landru.leg.state.or.us/ors/433.html).835  -  433.990

[OAR](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_021.html) [581-021](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_021.html)-0050  to  -0075

[OAR](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_022.html) [581-022](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_022.html)-0413

[OAR](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_021.html) [581-021](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_021.html)-0110

[OAR](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_053.html) [581-053](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_053.html)-0015

[OAR](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_053.html) [581-053](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_053.html)-0545(4)(c)(R)-(T)

[OAR](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_053.html) [581-053](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_053.html)-0550(5)(q)-(s)

Pro-Children  Act  of  1994,  20  U.S.C.  §§  6081-6084  (2006).

R2/24/11\*RS Corrected  6/12/12

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