

**Nestucca Valley  
School District 101J**

Code: **JFCI**  
Adopted: 4/11/11

**Substance/Drug Abuse**

Substance abuse or the possession, use, sale or supply of any unlawful drug, including drug paraphernalia, or any substance purported to be an unlawful drug on or near the district premises or at any school-sponsored activity is prohibited.

The following definitions apply to this policy:

“Substance abuse” means the use of any chemical or chemical compound which releases vapors or fumes or substance not otherwise excepted by law, Board policy or administrative regulation, which is toxic, corrosive, an irritant, a strong sensitizer, flammable, combustible, generates or is used to generate pressure, if such chemical or chemical compound, substance or mixture of substances is used in a manner that may cause intoxication, inebriation, stupefaction, personal injury or illness when induced by any means into the human body.

“Unlawful drug” means 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.

“Drug paraphernalia” means all equipment, products and materials of any kind which are marketed for the use or designed for the use in manufacturing, compounding, producing, processing, preparing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise inducing a controlled substance or intoxicant into the human body.

If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near school grounds, disciplinary action may include removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). Appropriate health and law enforcement agencies may be involved in at least a consultative and investigative capacity. Parents will be notified.

District administrators acting on reasonable suspicion may request that students participate in a Breathalyzer screening for alcohol at school or prior to or during a school sponsored event. If a student refuses, he/she may be subject to school discipline and or referral to law enforcement officials.

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 475.904.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 161.605</a>	<a href="#">OAR 581-021-0050 to -0075</a>
<a href="#">ORS 161.625</a>	<a href="#">OAR 581-021-0110</a>
<a href="#">ORS 332.107</a>	<a href="#">OAR 581-022-0413</a>
<a href="#">ORS 336.067</a>	<a href="#">OAR 581-053-0015</a>
<a href="#">ORS 336.222</a>	<a href="#">OAR 581-053-0545(4)(c)(R)-(T)</a>
<a href="#">ORS 336.227</a>	<a href="#">OAR 581-053-0550(5)(q)-(s)</a>
<a href="#">ORS 339.240</a>	<a href="#">OAR 584-020-0040</a>
<a href="#">ORS 339.250</a>	
<a href="#">ORS Chapter 475</a>	

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

**Cross Reference(s):**

JFCH - Alcohol