



# Tobacco Public Policy Center

at Capital University Law School

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## **MODEL POLICY for 100% TOBACCO-FREE SCHOOLS FOR \_\_\_\_\_ SCHOOL DISTRICT**

### **RATIONALE**

The Board of Education has a duty to protect and promote the health and well-being of all students and staff. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and non-users, and that most tobacco use begins by the age of eighteen. The Board recognizes that district personnel and school visitors serve as role models to students and, therefore, adopts this 100% Tobacco-Free School Policy to endorse a healthy lifestyle and prevent tobacco use.

### **DEFINITION**

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, and both spit and spitless tobacco, also known as smokeless, dip, chew, snus and snuff, in any form.

### **TOBACCO USE PROHIBITED**

No student, staff member, volunteer, or school visitor is permitted to smoke, inhale, dip, chew or use tobacco at any time, including non-school hours:

- In any building, facility, or vehicle owned, leased, rented, or chartered by the (school district); or
- On school grounds, athletic grounds, or parking lots.

No student, staff member, or volunteer is permitted to smoke, inhale, dip, chew or use tobacco at any time, including non-school hours, at any school-sponsored event off campus.

Additionally, no student is permitted to possess cigarettes, other tobacco products, papers used to roll cigarettes, lighters or other paraphernalia at any time.

### **TOBACCO PROMOTION PROHIBITED**

Tobacco advertising is prohibited on school grounds, in all school-sponsored publications and at all school-sponsored events. Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters and other personal articles, are not permitted on school grounds, in school vehicles, or at school-sponsored events.

## **NOTICE**

Appropriate signs will be posted throughout the district at entrances and other appropriate locations on all academic buildings, administrative spaces, and athletic fields indicating that tobacco use is not permitted. Students will be provided notice of this policy through student handbooks and district personnel will be provided notice of this policy through personnel handbooks. District vehicles will display the international “No Smoking” insignia. Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate. School programs will include a written reminder of the no smoking policy.

## **ENFORCEMENT**

Disciplinary measures taken against students and staff for violations of this policy comply with the requirements of Ohio law and related District policies.

**Note:** Disciplinary measures listed below are to serve as a model – they may need to be adjusted in order to comply with current school policies and employment contracts; however, it is imperative that a 100% Tobacco-Free Schools policy is enforced through disciplinary measures. Alternative measures to consider include: detentions, Saturday school, community service projects, and tobacco cessation programs.

The following disciplinary actions shall be taken against students found in violation of this policy:

- 1st offense
  - Completion of a Tobacco Education Program
- 2nd offense
  - 3-day in-school school suspension
- 3rd offense
  - 5-day in-school suspension
  - Recommendation for expulsion

The following disciplinary actions shall be taken against district personnel found in violation of this policy:

- 1<sup>st</sup> offense
  - Written reprimand placed in personnel file
- 2<sup>nd</sup> offense
  - 3-day suspension without pay
  - Written reprimand placed in personnel file
- 3<sup>rd</sup> offense
  - 5-day suspension without pay
  - Termination recommendation made to the Board of Education
  - Written reprimand placed in personnel file

The following disciplinary actions shall be taken against school visitors found in violation of this policy:

- 1<sup>st</sup> offense
  - Verbal notification of the policy
- Multiple offenses
  - Removal from school property or, if off-campus, removal from school activity

## **EDUCATIONAL REINFORCEMENT**

Tobacco-use prevention education shall be closely coordinated with the other components of the school health program. Staff responsible for teaching tobacco-use prevention education shall have adequate pre-service training and participate in ongoing professional development activities to effectively deliver the education program. Preparation and professional development activities shall provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with skill practice in effective instructional techniques and strategies and program-specific activities.

## **LEGAL REFERENCES**

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

OHIO REV. CODE ANN. §§ 3313.20, 3313.47, 3313.751, 3791.031 (LEXIS 2005).