

Harwood Unified Union School District Policy

Policy E8-R¹

E8-R: TOBACCO PROHIBITION

Policy

It is the policy of the Harwood Unified Union School District to prohibit the use of tobacco on school grounds in accordance with state law. This ban extends to any student, employee, or visitor to the school, and applies at all times, whether or not school is in session. Students are, furthermore, prohibited from possessing tobacco products at all times while under the supervision of school staff or at school sponsored activities. The superintendent or his or her designee shall develop procedures, rules and regulations necessary to implement this policy, which shall, at a minimum, include provisions ensuring that tobacco products are confiscated when found in the possession of students and that referrals to law enforcement agencies are made when appropriate.

Definitions

For purposes of this policy and administrative rules and procedures developed pursuant to this policy:

1. **School grounds** means any property and facilities owned or leased by the District and used at any time for school related activities, including but not limited to school buildings, school buses, areas adjacent to school buildings, athletic fields, and parking lots.²
2. **School sponsored activity** means activities including but not limited to field trips, project graduation events, sporting events, work internships and dances.
3. **Tobacco product** has the same meaning as set forth in 7 V.S.A. § 1001(4), as amended from time to time.³

Date Warned:	08.29.13
Date Adopted:	FES: 09.17.13; HUHS: 09.18.13; MES: 09.09.13; W-D: 09.10.13; WES: 09.16.13; WS: 11.20.13
Legal Reference(s):	16 V.S.A. §140 (Tobacco on school grounds) 18 V.S.A. §§1422 et seq. (Smoking in the workplace) 13 V.S.A. §3705 (Unlawful Trespass) 20 U.S.C. §6083 et seq. (Goals 2000 Educate America Act, Title X) 7 V.S.A. 1001 et seq.
Cross Reference:	Student Conduct and Discipline (F1) Bus Discipline (F2)

¹ 18 V.S.A. 1422 requires all employers to “establish....or negotiate...a written smoking policy. For purposes of determining smoking policy for schools with school boards, the employer shall be the school board.” 16 V.S.A. 140 requires that school boards “...adopt policies prohibiting the possession and use of tobacco products by students at all times while under the supervision of school staff. These policies shall include confiscation and appropriate referrals to law enforcement authorities.”

² The definitions of “school grounds” and “school sponsored activity” used in this policy are the same as those found in the Department of Education model policy on Possession and Use of Tobacco Products.

³ The term “tobacco product” is defined in 7 V.S.A. 1001(4) as “cigarettes, cigars, cheroots, stogies, periques, granulated, plug cut crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, Cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings and sweepings of tobacco, and other forms of tobacco prepared in a manner suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking.”