

PROCEDURE WSD501

WINOOSKI SCHOOL DISTRICT

STUDENT POSSESSION AND USE OF TOBACCO PRODUCTS

To the extent appropriate, school officials shall coordinate the implementation of these procedures with the SRO and community officials with a focus on directing students to relevant education and cessation programs. For the purpose of these procedures tobacco products include, but are not limited to cigarettes, chewing tobacco, electronic cigarettes, personal vaporizer or electronic nicotine delivery system.

1. The following apply to the possession or use of tobacco products by students on school property or at school-sponsored activities:
 - a) Any employee who observes a student in possession of a tobacco product, or who has reasonable cause to believe a student is in possession of a tobacco product, shall immediately report the student to the principal or his/her designee.
 - b) The principal shall interview the reported student as soon as possible. Any tobacco product shall at this time be confiscated. Upon receipt of any tobacco product under this policy, the principal shall, unless the tobacco product is given over to law enforcement officials, store the tobacco product in a secure designated place until it is no longer necessary for any disciplinary or other legal proceeding. Thereafter, the tobacco product shall be destroyed.
 - c) As soon as reasonably possible after the report to the principal the employee shall prepare a written statement including the circumstances surrounding the possession or use of the tobacco product.
 - d) After receiving the report of the employee, the principal shall review the circumstances surrounding the reported possession or use of tobacco products. The review shall include the interview with the student and any identified witnesses. The principal shall notify the parents or guardian of the student who is the subject of the review.
 - e) After completion of the review, the principal shall make a determination as to whether the evidence supports the employee's report and, if so, whether a referral to law enforcement is appropriate. Factors to consider as to whether to report the incident to law enforcement include whether it is a first or repeat offense and the policies of local law enforcement agencies specifying under what circumstances reports should be filed.
 - f) If the principal determines that the evidence supports a finding that a student possessed or used tobacco products in violation of this policy, he or she shall initiate any applicable educational or disciplinary processes as set forth in number 3 and the Winooski School District Discipline Policy #5114(a).
 - g) The above process should be concluded in an expeditious a manner as possible and should, if possible, take no longer to conclude than ten days from the date of the reported incident.
2. In the event that the reported incident involves the sale or other transmittal of tobacco or tobacco products, the procedures set forth above shall be applied except that a referral to law enforcement will be made immediately by the principal or his or her designee upon receiving the report. If the incident takes place at a school activity away from school property and the principal or his or her

PROCEDURE WSD501 - STUDENT POSSESSION AND USE OF TOBACCO PRODUCTS

Page 2

designee is not reachable, the employee who observes or suspects the sale or transmittal of tobacco or tobacco products shall immediately refer the matter to any appropriate law enforcement.

3. Discipline -

- a) The procedures and penalties set forth in the Winooski School District disciplinary Policy #5114(a) shall apply to incidents in which a student has been reported to have possessed, used or transmitted tobacco products in violation of this policy.
- b) In addition to any disciplinary measures taken under the above-mentioned Disciplinary Policy, a student after a first offense shall be referred to the school nurse or other qualified educator for a discussion about the health effects and legal consequences of possession, use or transmittal of tobacco products as well as provision of information on the availability of smoking cessation programs.

4. Training and Information -

- a) The principal shall cause training of all school employees to occur with regard to the implementation of this policy. Such training shall include information on the hazards of the use of tobacco products.
- b) Parents and students shall be notified each year of the provisions of this policy through publication in the student handbook.

Reviewed and Updated: April 9, 2007