

**POLICY #1340
Required**

**WINOOSKI SCHOOL DISTRICT
POLICY ON TOBACCO PROHIBITION**

In the interest of providing a safe and healthy environment for students, employees, volunteers, student-teachers, work-study students and visitors, it is the policy of the Winooski School District to prohibit the use of tobacco or tobacco substitutes on school grounds in accordance with state law. This ban extends to any student, employee, volunteer, student-teacher, work-study student or visitor to the schools and applies at all times, whether or not school is in session. Furthermore, students are prohibited from possessing tobacco products, tobacco substitutes or tobacco paraphernalia at all times while under the supervision of school staff or at school sponsored activities. The Superintendent or his/her designee shall develop procedures, rules and regulations that are in his/her judgment necessary to implement this policy and, at a minimum, will include provisions ensuring that tobacco products, tobacco substitutes or tobacco paraphernalia 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 school 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. 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(3), as amended from time to time.
4. Tobacco paraphernalia has the same meaning as set forth in 7 V.S.A. 1001(7), as amended from time to time.ⁱ
5. Tobacco substitutes has the same meaning as set forth in 7 V.S.A. 1001(8), as amended from time to time.ⁱⁱ

PROCEDURES: (also referred to as rules or regulations) are the specific directions that indicate exactly how school personnel and others will carry out the policies adopted by the School Board. Procedures will be developed by the Superintendent in consultation with staff and are attached. Procedures may change more frequently than the underlying policy and do not require adoption by the Board.

Reviewed and Updated:

1st Reading: March 8, 2017

2nd Reading: April 12, 2017

Approved by Board of School Trustees: April 12, 2017

Legal Reference(s): Title 16 V.S.A. §140 (Tobacco on School Grounds)
..... Title 18 V.S.A. §1421 (Smoking in the Workplace; prohibition)
..... Title 7 V.S.A. §1001

Cross Reference(s): WSD Procedure 103 (Use of Facilities)
..... Policy #4310 (Alcohol and Drug Free Workplace)

PROCEDURES:

The building principals shall take reasonable steps to inform students and employees of this policy. Signs shall be posted on school property, and notice shall be given to visitors and those invited to attend school activities by means of bulletins, programs and announcements related to the school event.

Students who violate this policy will be disciplined under the school's disciplinary policy and procedures. Tobacco products will be confiscated.

Employees who violate this policy will be subject to disciplinary action in accordance with applicable employee policies, employment contracts and appropriate law.

Others who use tobacco on school grounds will be informed of this policy and asked to comply. A person failing to comply will be asked to leave school grounds. A person who refuses to comply or to leave school grounds when requested to do so under this policy may be prosecuted as a trespasser.

ⁱ The term "tobacco paraphernalia" is defined in 7 V.S.A. 1001(7) as "any device used, intended for use, or designed for use in smoking, inhaling, ingesting, or otherwise introducing tobacco products into the human body, or for preparing tobacco for smoking, inhaling, ingesting, or otherwise introducing into the human body, including devices for holding tobacco, rolling paper, wraps, cigarette rolling machines, pipes, water pipes, carburetion devices, bongs, and hookahs."

ⁱⁱ The term "tobacco substitute" is defined in 7 V.S.A. 1001(8) as "products including electronic cigarettes or other electronic or battery-powered devices that contain and are designed to deliver nicotine or other substances into the body through inhaling vapor and that have not been approved by the United States Food and Drug Administration for tobacco cessation or other medical purposes."