

TOBACCO CONTROL

Section 1: Purpose

The purpose of this policy is to prohibit the use or distribution of tobacco products in school buildings, on school grounds, in school-leased or -owned vehicles, and at all school affiliated functions in order to improve the health of West Virginia students and school personnel. Students under the age of 21 may not possess any tobacco product at any time. The use of tobacco products has a direct link to numerous health problems, and this policy is intended to prevent students, school personnel and visitors from being exposed to secondhand smoke and prevent youth addiction to tobacco products. This policy is intended to promulgate a positive, pro-active approach to tobacco control. In addition, school personnel shall act as positive role models for students by not distributing or using tobacco products in the presence of students.

Section 2: Application

- 2.1 This policy shall apply to any building, property, or vehicle leased, owned, or operated by any school or the County Board of Education. This policy shall apply to any private building, or other property including automobiles or other vehicles used for school activities when students or staff is present.
- 2.2 No person shall distribute or use any tobacco product in any area defined in Section 3.1 of this policy at any time. In addition, students under the age of 21 may not possess any tobacco product at any time as outlined by W V State Code §16-9A -1 through §16-9A -4.
- 2.3 Individuals supervising students off school grounds are prohibited from distributing or using any tobacco products while in the presence of students or any time while engaged in any activities directly involving students.
- 2.4 No school or board policy, as defined in Section 2.1 of this policy, or school, or county publication, may be used for advertising of any tobacco product.
- 2.5 Groups using areas described in Section 2.1 shall sign agreements with the county Board of Education agreeing to comply with this policy and to inform students, parents and spectators that this policy remains in force on evenings, weekends, and other times that school is not in session. (See Policy KBE)

Section 3: Implementation

- 3.1 **School Policy:** Every school in the county school district shall have a Tobacco Control Policy that meets the stipulations of this policy and adheres to the following guidelines. This policy serves as school policy except where the need for school-level procedures or measures is indicated. Schools may impose additional strategies and restrictions not outlined in county policy provided they meet the tenets and intent of the county policy. School policies shall be submitted to the Board for approval.
- 3.2 **Administration:** Administrative procedures for dealing with tobacco are the responsibility of all county and school administrators as follows:
 - A. It is the responsibility of each school administrator to implement provisions of this policy within their schools, specifically education, communication and enforcement provisions as outlined in this policy; and
 - B. It is the responsibility for each school to develop clear procedures for identification, intervention and referral of students with tobacco-related problems to the school counselor, school nurse, or other identified health professional. These procedures should be included in the student and staff handbooks.
 - C. It is the responsibility of each school to maintain an environment for students, staff, and visitors that present no physical harm, discomfort, or unsanitary condition resulting from tobacco product use.

Section 4: Communication

The County Board of Education shall provide uniform and coordinated communication efforts for school, staff, and the public during initial implementation and whenever county-wide activities or programs are offered.

- 4.1 **Staff Development:** It shall be the practice of the Hardy County Board of Education to provide appropriate staff development regarding the current policy. In addition, provision of training for facilitators for cessation education and support programs for students will be at the discretion of each individual school.
- 4.2 **Student Handbook:** Student handbooks shall include complete information regarding the scope of the policy and sanctions for violators.
- 4.3 **Parent/Guardian Notification:** All parents should be given notification about the sanctions for violations that will be enacted should their child violate this policy.

4.4 Public Notification: Should include, at a minimum, the placing of signs indicating tobacco free area on school grounds and vehicles; announcements of the policy at school and county sponsored functions, and agreements with all groups using school facilities or property as outlined in Section 2.5 of this policy.

4.5 Other Communication Procedures: In addition, it shall be the responsibility of each school to select one or more of the following communication procedures for communicating the policy to students, school staff, parents, or families, visitors, and the community at large.

A. Students

1. Discuss the policy with students at student orientation meetings.
2. Spread the information through student organizations and activities.
3. Place or make announcements in school publications and/or via school media.
4. Have students design posters, banners, and signs.
5. Tell students about opportunities for tobacco cessation and support programs at school or in the community and provide information about how students can sign up for these programs.

B. School Staff

1. Discuss any changes in school tobacco policy and enforcement at staff meetings, such as faculty senate.
2. Post information in staff lounges or offices.
3. Tell staff about opportunities for tobacco cessation and support programs in the community and provide information about how staff can sign up for these programs.
4. Inform potential employees of the policy in job interviews.

C. Parent/Guardian

1. Send a letter to each parent or guardian explaining the policy changes, giving reasons for the changes and asking for support.
2. Ask parents to sign student-school contracts for participation in extra- and co-curricular activities.

3. Discuss the policy changes at the PTA /PTO of LSIC meeting.
4. Include an article outlining the policy and implications of the policy in school newsletters and school or community newspapers.

D. Public/Community

1. Post signs at all entrances to school property and on all vehicles owned by the school. Other places to post signs include gathering places, restrooms, loading areas, and stairwells.
2. Announce the new policy at all athletic events, meetings, concerts and plays. Have students develop and/or deliver announcements.
3. Train students, staff, and community volunteers to politely ask community members to respect school policy and to avoid communicating in a way that sounds judgmental or would escalate conflict.
4. Ask students, staff, and community volunteers to assist in distributing informational flyers at school events.
5. Communicate the policy to parent and business volunteers who are assisting in supervising youth on off-campus activities that might include field trips, job shadowing, or community service.
5. Be aware of the difficulty for those who use tobacco and sensitive to their concerns, but enforce the policy on a consistent basis.
6. Inform vendors who provide supplies, materials, and services on a regular basis to the school about the policy.

Section 5: Prevention Education

Required Health Education Program of Study (WV Board of Education Policy 2520.06) shall be coordinated with Safe and Drug Free school activities and programs to provide a comprehensive K-12 tobacco prevention curriculum for all children in the county. School administration, Local School Improvement Councils and School Curriculum Teams should assure that prevention education efforts are coordinated and age-appropriate.

- 5.1 Health Education Instruction: County health education programs of study include instructional objectives related to prevention of tobacco use, assessment of hazards of tobacco and benefits of remaining tobacco free, and skills to refuse peer pressure to use

tobacco products K-12 as outlined in W V Board of Education Policy 2520, Health Education Instructional Goals and Objectives.

5.2 Safe and Drug Free School Program : School-wide or targeted grade-level programs sponsored by safe and drug free schools funds shall be coordinated with other prevention education efforts and meet guidelines and stipulations set forth in drug free schools grants to the county-RESA for use in prevention education efforts.

5.3 Cessation Support Education : All schools in the county will be provided with a list of available cessation programs to refer staff and students interested in cessation.

Cessation support education shall not be used as a punishment for those caught violating policy, although referral information should be provided by the school administration to these individuals. Individual schools will make the determination to provide or refer, if available, to voluntary cessation education and support programs.

A. Information regarding upcoming cessation support education programs will be given to all students in grades 7-12 and staff via the regular school calendar and through posted announcements in school newsletters and on bulletin boards per individual school strategy.

B. Schools may elect to provide a cessation support education program for students if staff or appropriate individuals from community agencies agree to provide the program.

Section 6: Enforcement

6.1 For Students: The following penalties shall be assessed for violation of this policy except that the principal may assess other penalties where he/she determines there are unusual circumstances or if it is determined that the behavior of a special education student is the result of his/her handicapping condition.

Students found to be in possession of tobacco in violation of this policy shall for a first offense be issued a written warning, a copy of which shall be sent to the parents. For a second offense the student shall be suspended from school for one day. A third offense shall be punishable by a suspension of three days. Students guilty of a fourth offense shall be recommended for expulsion.

Students found using tobacco in violation of this policy shall for a first offense be suspended for one day. For a second offense the student shall be suspended for three days. A student guilty of a third offense shall be recommended for expulsion. In addition to these penalties, students shall be required to clean up any mess resulting from their use of tobacco.

Counseling: Students should be referred to the guidance counselor or other school health services or psychological services, if applicable, for all offenses.

Parent/Guardian Notification: Parent/guardians shall be notified in writing or by telephone of all violations and subsequent sanctions placed on the student.

Police Notification/Prosecution: In addition to the above provisions the principal shall notify police of all violations.

Cessation Programs: Tobacco cessation programs are provided by the E. A. Hawse Health Center and the Potomac Highlands Guild. Principals and Guidance Counselors shall refer students with tobacco addiction problems to these agencies.

6.2 For Staff: Employee violations will be considered insubordination and subject to disciplinary action.

Employee Evaluation Record: All staff violations require documentation on staff evaluation forms and work records.

Mandatory Education Session: Employees violating the policy may be required to attend an educational program or receive educational material that discusses the addiction process and cessation options.

A. First violations of this policy shall include a conference with the Supervisor and may include one or more of the following:

1. Improvement plan;
2. Written reprimand; and/or
3. Police notification.

In accordance with due process, second violations of this policy will include a written reprimand in the employee personnel file, a conference with supervisor, submission of an improvement plan by the staff member, and may include referral to local police authorities.

In accordance with due process, third violations shall include, in addition to steps outlined for second violations, suspension without pay for 3-7 days; and may include referral to the County Board of Education for termination.

Employees violating the policy more than three times shall be referred to the county Board for termination.

6.3 For the Public: Public sanctions may involve the following:

- A. Request to individual to stop;
- B. Request for individual to leave site of school function;
- C. Refer to local police authorities;
- D. Individual prohibited from attending future school events.

6.4 Alignment of Enforcement Measures

- A . W V Board of Education Policy 4373 , Student Code of Conduct;
- B . W V Board of Education Policy 5310 , Personnel Staff Evaluation .

Professional Responsibilities and Performance Standards:

- C . W V Board of Education Policy 1461 . Drug-Free Workplace ; and
- D . W V Code §16-9A -1 through §16-9A -4 , Tobacco Usage Restrictions .

Policy Review : This policy will be reviewed every two years and appropriate modifications made at the advice of school administrators, faculty/senates and LSIC groups.

SOURCE : Board of Education Minutes

DATE : May 4, 1998 - August 2, 1999 - April 8, 2002

LEGAL REFERENCE : W V State Board of Education Policy 2422.5A and 2520.06
W V Code §16-9A -1 through §16-9A -4, §18-2-5

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