

Washington West Supervisory Union Model Policy

Policy E8-R¹

E8-R: TOBACCO PROHIBITION

Policy

It is the policy of the member district school boards of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) 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 that are in his or her judgment necessary to implement this policy and, at a minimum, will 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 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
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.”