

NO TOBACCO USE ON DISTRICT PROPERTY
(Version 2)

The Board has a duty to protect and promote the health and well-being of all students and staff. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and nonusers, and that most tobacco use begins by the age of 18. The Board recognizes that staff and school visitors serve as role models to students and, therefore, adopts this 100% tobacco-free District policy to endorse a healthy lifestyle and prevent tobacco use.

For the purpose of this policy, “tobacco **product**” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette and any other smoking product, and spit tobacco, also known as smokeless, dip, chew and snuff, in any form.

For the purpose of this policy, **electronic smoking devices and vapor products also electronic-cigarettes** are considered a “tobacco **product**.”

Tobacco Use Prohibited

No volunteer or school visitor is permitted to smoke, inhale, **vape**, dip or chew tobacco **products** at any time, including non-school hours:

1. in any building, facility or vehicle owned, leased, rented or chartered by the District or
2. on school grounds, athletic facilities or parking lots.

Tobacco Advertisements and Promotions

Tobacco advertising is prohibited on school grounds, in all school-sponsored publications and at all school-sponsored events. Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters and other personal articles, are not permitted on school grounds, in school vehicles or at school-sponsored events.

Providing Notice

“No Tobacco” signs will be posted throughout the District at entrances and other appropriate locations in all academic buildings, administrative spaces and athletic fields. District vehicles will display the international “No Smoking” insignia. Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate. School programs will include a written reminder of the no tobacco use on District property policy.

Enforcement

Citizens failing to comply with this policy are educated as to State law and the Board's policy on smoking. Persons refusing to extinguish smoking materials are directed to leave school property and may be fined by the Ohio Department of Health or its designees.

(Permissive language – customize to reflect District procedures)

The following disciplinary actions may be taken against school visitors found in violation of this policy.

- 1st offense: verbal notification of the policy
- Multiple offenses: removal from school property or, if off-campus, removal from school activity

[Adoption date:]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Goals 2000: Educate America Act; 20 USC 6081 through 6084
ORC 3313.20
3794.01; 3794.02; 3794.04; 3794.06
OAC 3301-35-02; 3301-35-05

CROSS REFS.: GBK, Tobacco Use on District Property by Staff Members
JFCG, Tobacco Use by Students
KGB, Public Conduct on District Property

NOTE: This policy and information is based on model policies for districts considering 100% tobacco-free campuses. It is provided for educational purposes only and is not to be construed as a legal opinion or as a substitute for obtaining legal advice from an attorney. Readers with questions about the application of the law to specific facts are encouraged to consult legal counsel familiar with the laws of their jurisdictions.

Districts are required to have smoke-free policies. This goes beyond what is required and may be helpful to those districts choosing to go tobacco-free.

*Electronic ~~e-cigarettes~~ ~~(e-cigarettes)~~ **smoking devices and vaping** have increased in popularity. **While such devices are included as tobacco under Ohio's juvenile tobacco laws (under 21 years of age)** ~~These devices are not otherwise classified as tobacco and State and Federal law do not regulate their use. are not subject to the same restrictions as other forms of tobacco or cigarettes.~~ Districts ~~who~~ **that** want to add **electronic smoking devices and vaping** ~~e-cigarettes~~ to the definition of tobacco in this policy should review the provided permissive language. Districts may need to update postings to reflect the restrictions on the use of **these devices** ~~e-cigarettes~~.*

THIS IS A REQUIRED POLICY