

**BARRE UNIFIED UNION SCHOOL DISTRICT # 087
POLICY**

CODE: B 7

**1ST READING: 5/9/2019
2ND READING: 6/13/2019
ADOPTED: 6/13/2019**

TOBACCO PROHIBITION

1. POLICY

In accordance with state law, it is the policy of the Barre Unified Union School District (BUUSD) to prohibit the use of tobacco or tobacco substitutes on BUUSD grounds, or school grounds or at school sponsored functions of a member district. This ban extends to any student, employee or visitor, and applies at all times, whether or not school is in session. Students are, furthermore, 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.

2. DEFINITIONS

For purposes of this policy and administrative rules and procedures developed pursuant to this policy:

School grounds means any property and facilities owned or leased by the BUUSD or member district school, including but not limited to school buildings, school buses, areas adjacent to school buildings, athletic fields and parking lots.

School sponsored activity means activities including but not limited to field trips, project graduation events, sporting events, work internships and dances.

Tobacco product has the same meaning as set forth in 7 V.S.A. 1001(3), as amended from time to time.

Tobacco paraphernalia has the same meaning as set forth in 7 V.S.A. 1001(7), as amended from time to time.

Tobacco substitutes has the same meaning as set forth in 7 V.S.A. 1001(8), as amended from time to time.

3. IMPLEMENTATION

The Superintendent or his/her designee shall develop procedures, rules and regulations that are 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.

3.1 The Superintendent, or his or her designee, shall take reasonable steps to inform employees of this policy, to post signs on school property, and to provide notice to visitors and other individuals who are invited to attend school activities in bulletins, programs and announcements related to school events.

3.2 Employees who violate this policy shall be subject to disciplinary action in accordance with applicable employee policies.

3.3 Non-employees found to be in violation of this policy shall be informed of, and required to comply with, the policy. A person failing to comply shall be notified to leave school grounds or the school-sponsored activity. A person refusing to leave school grounds or the school-sponsored activity may be referred to a law enforcement agency.

Legal Reference(s): 16 V.S.A. §140 (Tobacco on school grounds)
18 V.S.A. §§1421 et seq. (Smoking in the workplace)
7 V.S.A. 1001 et seq.

The term “tobacco product” is defined in 7 V.S.A. 1001(3) as “cigarettes, little cigars, roll-your-own tobacco, snuff, cigars, new smokeless tobacco, and other tobacco products as defined in 32 V.S.A. § 7702.”

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.”

¹The 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.”