

Vermont School Boards Association	VSBA Code:	B7
Windsor Southeast Supervisory Union Policy Statement	Date Adopted:	2/8/2012
	Revision Adopted:	7/1/2019

Tobacco Prohibition

Policy

In accordance with state law, it is the policy of the Windsor Southeast Supervisory Union (Hartland, Mount Ascutney, and Weathersfield) to prohibit the use of tobacco or tobacco substitutes on supervisory union or school grounds or at school sponsored functions. 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, tobacco substitutes, tobacco, vaping products and paraphernalia 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 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.
5. **Tobacco substitutes** has the same meaning as set forth in 7 V.S.A. 1001(8) as amended from time to time.

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)¹
7 V.S.A. 1001 et seq.

Cross Reference: Student Conduct and Discipline (F1)
Bus Discipline (F2)

Code E8-P

PROCEDURES: TOBACCO PROHIBITION

Notice procedures

Building principals will provide notice of this policy as follows.

- a. Students will be informed of this policy at the beginning of each school year by placement of the policy in the Student Handbook and by such other means as the principal of each district school deems necessary and appropriate.
- b. Employees will be informed of this policy through notices posted in school offices and the placement of the policy in the Employee Handbook. Employees will be given a copy of this policy upon request.
- c. The general public will be notified of this policy by posting notices of the policy in the entry ways to school buildings and in hallways outside of the library, gymnasium and auditorium. Notice of this policy will also be placed in bulletins, programs and announcements of school events.

Enforcement Procedures

The following actions will be taken to enforce this policy.

- a. Student violations. Students who violate this policy will be disciplined under the school's disciplinary policy and procedures.
 1. Any employee who observes a student in possession of a tobacco product shall confiscate the product and report the violation to the principal within 48 hours.
 2. The principal shall store any confiscated tobacco product in a secure place until it is no longer needed for any disciplinary action or other legal proceeding. Thereafter, the tobacco product shall be destroyed.
 3. The principal shall expeditiously investigate any report of student violations of this policy, shall determine whether the report is supported by the evidence and, if so, whether referral to law enforcement agencies is appropriate.
- b. Employee violations. Employees who violate this policy will be subject to disciplinary action in accord with applicable employee policies, employment contracts and requirements of law.
- c. Violations by Other Individuals. 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 referred for prosecution as a trespasser.