

Tobacco Use Policy

Definitions

For purposes of this policy, the following definitions will be used:

“District property” includes all property, both indoor and outdoor, that is owned or leased by the district including, but not limited to, all buildings, playgrounds, athletic fields, parking lots and vehicles.

“Tobacco Product” includes any product that contains tobacco, is derived from tobacco or contains nicotine or other similar substances, which is intended for human consumption, or is likely to be consumed, whether smoked, heated, inhaled, chewed, absorbed, dissolved, or ingested by any other means. The term “Tobacco Product” includes E-cigarettes and other electronic smoking devices, pipes and rolling papers, but does not include any product approved by the United States Food and Drug Administration for legal sale as a tobacco cessation product and is being marketed and sold solely for the approved purpose.

“E-cigarette” means any electronic oral device, such as one composed of a heating element, battery or electronic circuit, or both, which provides a vapor of nicotine or any other substance, and the use or inhalation of which simulates smoking. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, and e-pipe or under any other product name, or descriptor. “E-cigarette” also includes any component part of such a product whether or not sold separately. “E-cigarette” does not include any product approved by the United States Food and Drug Administration for legal sale as a tobacco cessation product and is being marketed and sold solely for the approved purpose.

“Tobacco Use” means the use of any Tobacco Product in any form. Tobacco Use includes, but is not limited to, smoking, heating, inhaling, chewing, absorbing, dissolving or ingesting any Tobacco Product.

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe or hookah, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or form. Smoking also includes the use of an E-cigarette.

Rationale for Regulating Possession & Use

The health hazards of tobacco use have been well established. This policy is established to protect the health and safety of all students, employees, and the general public.

Tobacco use is the leading cause of preventable death and disability in North Dakota. To support and model a healthy lifestyle for our students, the Fargo Public Schools establishes the following tobacco-free policy.

Curriculum

Tobacco prevention education is incorporated into the district's K-12 comprehensive health curriculum so that students will be aware of the health and social consequences of use/nonuse of tobacco products. Students will be afforded the most effective delivery of the district's classroom-based tobacco prevention education.

Use & Possession Prohibitions

1. Students: Possession and/or use of tobacco products by students on district property, in district vehicles, and at school-sponsored events (whether on or off district property) is prohibited at all times.
2. Staff/Visitors: The use of tobacco products by all school employees and visitors on district property, in district vehicles, and at school-sponsored events (whether on or off district property) is prohibited at all times.
3. Advertisement: The District will not allow advertising of tobacco products in school buildings, on school property, at school functions, on district property, or in any school publications. This includes clothing, signs, and accessories that advertise tobacco products.
4. Financial Contributions: The acceptance of financial contributions and/or gifts (such as sponsorships, speakers, curriculum, book covers, etc.) from the tobacco industry are prohibited.

Communicating to Students, Staff, & Public

This policy will be referenced in employee and the student handbooks. The District shall comply with all smoking prohibition posting requirements in NDCC 23-12-10.4 and post such notices in other highly visible places in all district schools and property, such as, but not limited to: school playgrounds, athletic fields and school-sponsored events (on district property).

Violations

All individuals on the district's premises share in the responsibility for adhering to and enforcing this policy. If a staff violation should occur, a written warning will be issued to the staff member with a copy submitted to the Human Resources office for placement in her or her personnel file. Resources and referral to cessation services will be offered. Further violations shall be considered insubordination and shall be dealt with accordingly based on established policies and procedures for suspension and possible termination or dismissal.

If a student violation should occur, a referral to the Fargo Police may be made along with notification of a violation to the parents will be made by the appropriate building administrator.

Citizens observed smoking or using tobacco products at school events or on school property shall be asked to refrain from smoking or using tobacco products. If the individual fails to comply with the request, his or her violation of policy may be referred to the building principal or other school district supervisory personnel responsible for the area or program during which the violation occurred. The supervisor shall make a decision on further action which may include a

directive to leave school property. Repeated violations may result in a recommendation to the Superintendent to prohibit the individual from entering school district property for a specified period of time.

Tobacco Cessation Services

Individuals requesting assistance with tobacco cessation services will be referred to NDQuits, the North Dakota Department of Health multi-media tobacco cessation program. This is a free cessation service provided to citizens of North Dakota.

Exception

1. It shall not be a violation of this policy for an American Indian adult to light tobacco in a public school as a part of a traditional Indian spiritual or cultural ceremony, or to carry a small amount of tobacco in a bag designated for spiritual or cultural ceremonial support.
2. It shall not be a violation of this policy for an American Indian student to carry a small amount of tobacco in a bag designated for spiritual or cultural ceremonial support with the permission of the student’s parent or guardian and after notice to the site administrator or principal.

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