

Cache County School District

Policy Series 6000: Finance and Operations

Policy No. 6620

Tobacco and Nicotine-Free School

The Cache County School District and property shall be tobacco and/or nicotine-free 24 hours a day, 365 days per year. This includes all days when school is not in session and all functions taking place on school grounds, such as athletic functions and other activities not associated with or sponsored by the school.

Possession or use of tobacco and/or nicotine products by students on district property, in district vehicles, or at school-sponsored functions is prohibited.

The use of tobacco and/or nicotine products by any school employee on district property, in district vehicles, or at school-sponsored functions is prohibited, with the exception of the use of an approved nicotine product that is being used as part of a smoking cessation program.

The use of tobacco and/or nicotine products by any visitor to the school district property is prohibited. This includes non-school hours and all functions sponsored by the school or other, athletic or otherwise, on or off school property.

Advertising of tobacco and/or nicotine products is prohibited in school buildings, on school property, at school functions, and in all school publications. This includes clothing that advertises tobacco products. Endorsement or sponsorship in any form of any school-related event by tobacco companies is strictly prohibited.

I. Definitions

- A. "Electronic cigarette" means any electronic oral device that provides an aerosol or a vapor of nicotine or other substance and which simulates smoking through its use or through inhalation of the device, including but not limited to an oral device that is composed of a heating element, battery, or electronic circuit and marketed, manufactured, distributed as an e-cigarette, e-cigar, e pipe, or any other name or description if the function of the product meets this definition. It also includes a component of such a device or an accessory sold in the same package as the device. It does not include a medical cannabis device as defined by Utah Code § 26-61a-102.
- B. "Electronic cigarette substance" means any substance, including liquid containing nicotine, used or intended for use in an electronic cigarette.
- C. "Electronic cigarette product" means an electronic cigarette, an electronic cigarette substance, or a prefilled electronic cigarette.
- D. "Prefilled electronic cigarette" means an electronic cigarette that is sold prefilled with an electronic cigarette substance.
- E. "Nicotine product" means an alternative nicotine product or a nontherapeutic nicotine product as defined by Utah Code § 76-10-101.

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II. Tobacco

- A. Students, staff, nor members of the public may not possess, use, or distribute tobacco or tobacco products on school property or during any school activity (whether or not it takes place on school property).

III. Nicotine Products

- A. Students, staff, nor members of the public may not possess, use, or distribute any nicotine product on school property or during any school activity (whether or not it takes place on school property). Exceptions may be made for nicotine products used as part of a nicotine cessation program under the direction of a medical professional.

IV. Electronic Cigarette Products

- A. Students may not possess, use, or distribute any electronic cigarette product on school property or during any school activity (whether or not the activity takes place on school property).

V. Confiscation and Disposal of Electronic Cigarette Products

- A. Any electronic cigarette product found in the possession or control of any person on school property or at a school activity (including such products found in student lockers, desks, or similar locations) shall be confiscated by staff and shall be destroyed or otherwise disposed of. However, if the electronic cigarette product is suspected to contain illegal controlled substances or to be used to consume illegal controlled substances, a school administrator may release the product to law enforcement upon request of law enforcement as part of an investigation or action rather than destroying or destroying the confiscated product. (For purposes of this exception, nicotine or other tobacco derivatives are not considered illegal controlled substances.)

Legal References:

Utah Code § 26-61a-102

Utah Code § 76-10-101

Synopsis:

Approved by the Board of Education: March 16, 2023