

Rutland Windsor Supervisory Union Ludlow Elementary School District Mount Holly Elementary School District Plymouth School District Union #39 School District	<b>TOBACCO PROHIBITION</b>	<b>Policy: E8</b>
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**Policy**

It is the policy of the Rutland Windsor Supervisory Union, Ludlow Elementary School District, Mount Holly Elementary School District, Plymouth School District and Union #39 School District (hereinafter “District”), to prohibit the use of tobacco on school grounds in accordance with state law. 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 at all times while under the supervision of school staff or at school sponsored activities. The Superintendent or designee shall develop procedures, rules and regulations that are in his or her judgment necessary to implement this policy and, at a minimum, will include provisions ensuring that tobacco products are confiscated when found in the possession of students and that referrals to law enforcement agencies are made when appropriate.

**I. Definitions**

- A. School Grounds:** This 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 the school buildings, athletic fields and parking lots.
- B. School Sponsored Activity:** This means activities including but not limited to field trips, project graduation events, sporting events, work internships, fund raising events and dances.
- C. Tobacco products:** Consistent with 7 V.S.A. § 1001; the definition of a tobacco product means cigarette, cigars, cheroots, stogies, periques, granulated, ready rubbed, snuff flour, plug and twist tobacco plug cut, crimp cut, fine cut, and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings, and sweepings of tobacco, and other kinds and forms of tobacco prepared in a manner suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking. Additionally, “Bidis or Beedies” means a product containing tobacco that is wrapped in termburni leaf (diospyros melanoxylon) or tendu leaf (diospyros exculpra), or any other product that is offered to, or purchased by, consumers as bidis or beedies, or abuse of nicotine through any other means.

**Legal Reference(s):**                    7 V6.S.A § 1001 (*Tobacco Products Definitions*)  
    16 V.S.A. §140 (*Tobacco Use on Public School Grounds*)  
    18 V.S.A. § Part 2, Chapter 28, Sub Chapter 2, §1422 (*Smoking Policy*)

**Cross Reference(s):**

<b>District:</b>	<b>Reviewed only</b>	<b>Date Warned</b>	<b>Date Adopted</b>	<b>Replaces Policy</b>
Rutland Windsor Supervisory Union		June 5, 2009	September 23, 2009	<b>n/a</b>
Ludlow Elementary School District		May 18, 2009	June 3, 2009	<b>JC</b>
Mount Holly School District		May 4, 2009	May 18, 2009	<b>JC</b>
Plymouth School District		June 5, 2009	July 27, 2009	<b>JC</b>
Union #39 School District		April 17, 2009	May 20, 2009	<b>JHA</b>

## II. Procedure

**A. Procedures for Dealing with Tobacco Incidents:** Students who are experiencing problems with tobacco use are in need of assistance. The type of assistance needed may vary; however, the school system is committed to providing the most appropriate response to each individual. The actions set forth below will be considered routine procedures. In situations where extreme violations occur, the specific action may be waived by the administrator. Any action taken by waiver of these procedures will be explained in a written report to the Superintendent. All disciplinary measures taken in accordance with this policy will comply with due process requirements and, where appropriate, will be consistent with the rights of students with disabilities as reflected in the school's discipline policy. All consequences for offenses of this policy are cumulative during the student's enrollment with the school.

**B. Students Who are Suspected of Possession and/or Using Tobacco Products:**

**1. First Offense:**

- a. Any student in possession of a tobacco product shall have said tobacco confiscated by an employee and reported to the Principal or designee.
- b. Parents will be notified.
- c. Any tobacco violation shall be reported to the police.
- d. Student will be suspended for 1 or 2 days.
- e. The student will be referred to the SAP (Student Assistance Program) Counselor.

**2. Subsequent Offenses:**

- a. Steps (a,b, & c) of the 1st offense procedures.
- b. Student will be suspended for 3 or 4 days.
- c. Student will be referred to the tobacco cessation program.