

## **Tobacco-Free Schools**

To promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco product by staff, students and members of the public is prohibited on all school property. Possession of any tobacco product by a person under the age of 18 is also prohibited on school property. Possession of any tobacco product by students is also prohibited on school property.

For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:
  - a. All indoor facilities and interior portions of any building or other structure used for children under the age of 18 for instruction, educational or library services, routine health care, daycare or early childhood development services, as well as for administration, support services, maintenance or storage. The term does not apply to buildings used primarily as residences, i.e., teacherages.
  - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
  - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
2. "Tobacco product" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and any other product that contains or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual.

“Tobacco product” does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.

3. “Use” means lighting, chewing, smoking, ingesting or application of any tobacco product.

Signs will be posted in prominent places on all school property to notify the public that smoking or other use of tobacco products is prohibited in accordance with state law and district policy. This policy will be published in all employee and student handbooks, posted on bulletin boards and announced in staff meetings.

Any member of the general public considered by the superintendent or designee to be in violation of this policy will be instructed to leave school district property. Employees found to be in violation of this policy will be subject to appropriate disciplinary action.

Disciplinary measures for students who violate this policy will include in-house detention, revocation of privileges and exclusion from extracurricular activities. Repeated violations may result in suspension from school. In accordance with state law, no student will be expelled solely for tobacco use.

Adopted: November 24, 1992

Revised: August 8, 1994

Revised: October 11, 1994

Revised: September 8, 1998

Revised: December 14, 1999

Revised: September 12, 2000

Revised: October 12, 2010

LEGAL REFS.: 20 U.S.C. 7181 *et seq.* (*Pro-Children Act of 2001 contained in No Child Left Behind Act of 2001 prohibits smoking in any indoor facility used to provide educational services to children*)

C.R.S. 18-13-121 (*furnishing tobacco products to minors*)

C.R.S. 22-32-109 (1)(bb) (*policy required prohibiting tobacco use on school grounds*)

C.R.S. 22-32-109.1 (2)(a)(VII) (*policy required as part of safe schools plan*)

C.R.S. 25-14-103.5 (*tobacco use prohibited on school property*)

C.R.S. 25-14-301 (*Teen Tobacco Use Prevention Act*)

6 CCR 1010-6, Rule 5-306

CROSS REFS.: IHAMA, Teaching about Drugs, Alcohol and Tobacco  
KFA, Public Conduct on School Property

Swink School District #33, Swink, Colorado