

BOARD AGENDA ITEM
December 8, 2015

SUBJECT:

Revisions to two policies concerning Tobacco Free School, namely Policy ADC (*Tobacco Free Schools*) and Policy GBED (*Tobacco Free Schools/Staff*) – **Final Reading**

BACKGROUND:

While the schools and facilities of the Consolidated School District of Aiken County have been essentially tobacco free for decades, the last substantive change to our policies was in 1998 when the Board provided for "limited smoking areas" at outdoor athletic facilities. Dr. Alford had asked that these policies be reconsidered for possible change. Polling input from affected principals was positive and did not appear to be problematic. The goal is very worthy, and the amendments were approved by the Board on First Reading, November 24, 2015.

ADMINISTRATIVE CONSIDERATION:

The only exception to smoke free schools was the previous authorization for schools to designate in an "appropriate isolated area of outdoor facilities" as a smoking area and limit smoking to that area. The polling indicated that not all facilities even has such designated areas, and smoking at athletic events did not appear to be an issue with responses to the poll. Accordingly, the policies directly dealing with this issue – Policy ADC and Policy GBED have been proposed to the Board for revisions. Policy ADC is a "global" policy under the *Foundations and Basic Commitments* initial section of the policy manual. Policy GBED is a policy under the personnel portion of the policy manual and deals specifically with all school staff.

There has been limited expansion for the possible consequences of violations as set forth in the last paragraph of the revisions to Policy GBED. In the second paragraph of Policy ADC, a user friendly provision for general enforcement as to visitors is set forth, and we think more appropriate to maintaining reasonable public relations. Language was added in Policy ADC to address the fact that tobacco use prevention is part of the comprehensive health curriculum and also to provide for a referral of additional educational programs and cessation programs with students and staff upon request and, in limited instances, for mandated requirements. Also, since first reading we included language proscribing clothing with tobacco-related graphics as well as stating that we do not solicit tobacco advertising.

RECOMMENDATION:

Adopt the revisions to Policy ADC and Policy GBED on final reading.

ATTACHMENT:

Policy ADC and Policy GBED (as amended)

PREPARED BY:

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TOBACCO-FREE SCHOOLS

Code **ADC** Issued **12/15**

Purpose: To establish the basic structure for tobacco-free schools and the district's compliance with applicable laws.

The district does not permit smoking in any of its indoor facilities. Violation of this policy could lead to disciplinary action for students or staff. Visitors will be respectfully reminded of the policy when violations are observed and may be asked to leave under disruptive circumstances.

All school district buildings, grounds and facilities are designated as "tobacco-free" for employees and non-employees. The tobacco-free concept is intended to include cigarettes, cigars, all tobacco-containing products, smokeless tobacco and snuff, cigars, pipes, and e-cigarettes. (Certain additionally proscribed items and paraphernalia apply to students, as set forth in the Code of Student Conduct.)

For health reasons, the district discourages smoking or tobacco use by all persons. The district also believes that smoking by employees in other than work-related capacities off-campus, sets a bad example and serves as a poor role model for students who may be acquainted with such persons and is therefore discouraged.

The board directs the administration to ensure that signs designating school facilities, including outdoor athletic venues, as "tobacco-free" are conspicuously displayed.

The district does not allow students to use or to possess tobacco products or tobacco paraphernalia. This restriction applies while students are on school grounds, in the school buildings, on buses, or during any other time they are under the direct administrative jurisdiction of the school whether on or off the school grounds. Student violations are addressed in the Code of Student Conduct.

The District includes appropriate tobacco use prevention programs as part of its Comprehensive Health Education Curriculum. Additional education programs and cessation type programs will be referred for students upon request, and for staff voluntarily seeking assistance with such addictions, and may be mandated in certain instances.* Clothing that advertises tobacco use or products will not be allowed for students or staff on District grounds or District-sponsored events. The District does not solicit tobacco advertisements.

Adopted 11/13/84; Revised 6/25/91, 8/26/91, 12/18/98, 5/22/01, 12/08/15

Legal references:

A. United States Code:

1. 20 U.S.C. 6081 - Pro-Children Act of 1994.

B. * Cf. Policy GBED

Policy JICDA (authorizing the Code of Student Conduct)

C. S.C. Code, 1976, as amended:

1. Section 44-95-10 et seq. - Clean Indoor Air Act of 1990 and penalties for violations.
2. Section 16-17-490 - Contributing to the delinquency of a minor (school board rules and regulations may be exempt under certain circumstances).
3. Section 16-17-500 - Supplying minors with tobacco or cigarettes.
4. Section 59-67-150 - Qualifications of bus driver; drinking or smoking on bus.
5. S.C. Code 59-63-210, et seq.; S.C. Department of Education Regulations, R-43-279, et seq.

TOBACCO-FREE SCHOOLS/STAFF

Code **GBED** Issued **12/15**

Purpose: To establish the basic structure for tobacco-free schools as it relates to staff.

Faculty and staff use of tobacco

Employees of the district will not use tobacco, products containing tobacco, and tobacco-use mimicking devices such as "e-cigarettes" in the workplace.

"Workplace" is the site for performance of work done in connection with one's employment with the district, including any school building or premises and any vehicle used to transport students to and from school or school activities. Also included are off-school properties during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the district and an employee is serving in a supervisory or other work-related role.

All district buildings, grounds and facilities are designated as "tobacco-free" for employees and non-employees. For health reasons, the district discourages smoking or tobacco use by all persons. The district also believes that smoking by employees who are in the presence of students off-campus in other than work-related capacities sets a bad example and serves as a poor role model for students who may be acquainted with such persons. Such conduct is therefore discouraged.

An employee who violates the terms of this policy will be subject to warning or written reprimand by his/her immediate supervisor. Repeated violations may subject the employee to voluntary or mandatory enrollment in a tobacco education program, and may ultimately lead to suspension or dismissal for continued violations as stated in policies GCQF and GDQD.

Adopted 11/13/84; Revised 6/25/91, 8/26/91, 12/8/98, 11/27/01, 12/08/15

Legal references:

- A. United States Code:
 - 1. 20 U.S.C. 6081 - Pro-Children Act of 1994.
- B. S.C. Code, 1976, as amended:
 - 1. Section 44-95-10 et seq. - Clean Indoor Air Act of 1990 and penalties for violations.
 - 2. Section 16-17-490 - Contributing to the delinquency of a minor (school board rules and regulations may be exempt under certain circumstances).
 - 3. Section 16-17-500 - Supplying minors with tobacco or cigarettes.
 - 4. Section 59-67-150 - Qualifications of bus driver; drinking or smoking on bus.