

**BOARD AGENDA ITEM**  
**November 24, 2015**

**SUBJECT:**

Revisions to two policies concerning Tobacco Free School, namely Policy ADC (*Tobacco Free Schools*) and Policy GBED (*Tobacco Free Schools/Staff*) – **First 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. In the early to mid-2000’s the School Boards Association, together with DHEC, promoted a 100 percent tobacco free policy. The Board did not opt to change its policy during its early promotions. At the urging of DHEC, Dr. Alford has asked that these policies be reconsidered for possible change. We initially polled high school and middle school principals for their input specifically regarding the athletic facilities. The input was positive and did not appear to be problematic. The goal is very worthy, and the matter is being brought back for the Board’s review.

**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 are 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.

As can be seen from the attached draft, the students of the School District are already under a totally smoke free requirement through the Code of Conduct which is promulgated under Policy JICDA. The District staff policy previously permitted limited tobacco use even for employees when attending an athletic event without work related responsibilities. That has been revised to exclude use of tobacco related products on all school grounds and in school facilities for staff and adults.

The model policies of DHEC have rather punitive enforcement provisions, and we simply believe those are not intuitive for personnel and patron friendly school environments. Therefore, you will note that 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. We added language 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.

**RECOMMENDATION:**

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

**ATTACHMENT:**

Policy ADC and Policy GBED with proposed amendments

**PREPARED BY:**

Sean Alford  
William H. Burkhalter, Jr.

# TOBACCO-FREE SCHOOLS

Code **ADC** Issued **5/01 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. ~~Schools may designate appropriate isolated areas of outdoor facilities and stadiums as "smoking areas" and permit smoking by the public (including non-employees and employees who are present in other than work-related capacities).~~ 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 ~~who are present in other than work-related capacities off-campus, even though permitted under this policy,~~ 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 ~~no-smoking areas~~ 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.\*

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 ~~NO SMOKING/SMOKING~~

Code **GBED** Issued ~~11/04~~ **12/15**

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

## **Faculty and staff use of tobacco**

~~While on official duty,~~ 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. ~~Schools may designate appropriate isolated areas of outdoor facilities and stadiums as "smoking areas" and permit smoking by the public (including non-employees and employees who are present in other than work-related capacities).~~ 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, ~~even though permitted under this policy,~~ 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, 11/27/0, 12/08/15

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### 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.