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Statement of.....

Policy and Responsibility

SUBJECT: TOBACCO-FREE ENVIRONMENT

I. Purpose

A comprehensive 100% tobacco-free policy designed to ensure a safe learning and work environment.

- a. The Murray City School District Board of Education recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and non-users. The Board believes that the use or promotion of tobacco products on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff, and visitors.
- b. The Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff, and visitors.
- c. The Board acknowledges that adult staff and visitors serve as role models for students. The Board embraces its obligation to promote positive role models in schools and to provide an environment for learning and working that is safe, healthy, and free from unwanted smoke and tobacco use for the students, staff and visitors. Therefore, the Board adopts the following tobacco-free policy.

II. Definitions

- a. **“Administrator”** means any person who has disciplinary and managerial authority to enforce school policies and penalties in Murray City School District including but not limited to principals, vice-principals, or office personnel.
- b. **“Any time”** means during normal school and non-school hours: 24 hours a day, seven days a week, 365 days a year.
- c. **“Electronic cigarette”** means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are

manufactured, distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.

- d. **“Electronic cigarette industry”** means manufacturers, distributors or wholesalers of e-cigarettes. This includes parent companies and subsidiaries.
- e. **“Imitation tobacco product”** means any non-tobacco product designed to resemble a tobacco product including any edible or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include but are not limited to: candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, shredded beef jerky in containers resembling snuff tins, plastic cigars, and puff cigarettes.
- f. **“Lighter”** means a mechanical or electrical device typically used for lighting tobacco products.
- g. **“Off-campus, school-sponsored event”** means any event sponsored by the school or school district that is not on school property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances or theatrical productions.
- i. **“Parent/Guardian”** means any person that has legal guardian status over a student enrolled in Murray City School District.
- j. **“School”** means any Early Childhood Education Center, Head Start program, kindergarten, elementary, secondary school, alternative learning center or adult education center operated under the control of Murray City School District.
- k. **“School property”** means all facilities and property, including land, whether owned, rented, or leased by Murray City School District and all vehicles owned, leased, rented, contracted for, or controlled by the district and used for transporting students, staff, or visitors.
- l. **“Signage”** means signs declaring that all Murray City School District school property is tobacco-free.
- m. **“Smoking”** means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. "Smoking" also includes the use of an e-cigarette that creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.
- n. **“Staff”** means any person employed by Murray City School District as full or part-time, or any position contracted for or otherwise employed, with direct or indirect monetary wages or profits paid by the district or anyone working on a volunteer basis. This term includes, but is not limited to: faculty, service personnel, volunteers, chaperones, and others working for the district.

- o. **“Student”** means any person enrolled in Murray City School District’s educational system.
- p. **“Tobacco industry”** means manufacturers, distributors or wholesalers of tobacco products. This includes parent companies and subsidiaries.
- q. **“Tobacco industry brand”** means any corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indication of product identification identical or similar to those used for any brand of tobacco product, company, or manufacturer of tobacco products.
- r. **“Tobacco product”** means any products containing, made, or derived from tobacco that are intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to, cigarettes; cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco.
- s. **“Tobacco products shop”** means a retail establishment with an entrance door opening directly to the outside that derives more than 90 percent of its gross revenue from the sale of loose tobacco, plants or herbs intended for inhalation, cigars, cigarettes, pipes, or other smoking devices for burning tobacco and related smoking accessories in which the sale of other products is merely incidental. This does not include a tobacco department or section of any individual business establishment with any type of liquor, food, or restaurant license.
- t. **“Tobacco-related devices”** means ashtrays, cigarette papers or pipes for smoking or electronic cigarettes or any components, parts, or accessories of electronic cigarettes, including cartridges.
- u. **“Tobacco-related devices industry”** means manufacturers, distributors or wholesalers of tobacco-related devices. This includes parent companies and subsidiaries.
- v. **“Visitor”** means any person subject to this policy that is not a student, staff, or administrator as defined above.

III. General Statement of Policy

- a. It shall be a violation of this policy for any student of Murray City School District to possess, use, consume, display or sell any tobacco products, tobacco-related

devices, imitation tobacco products, lighters, or electronic cigarettes at any time on school property or at off-campus, school-sponsored events.

- b. It shall be a violation of this policy for any staff, administrator, or visitor of Murray City School District to use, consume, display or sell any tobacco products, tobacco-related devices, imitation tobacco products, lighters, or electronic cigarettes at any time on school property or at any off-campus school sponsored events.
- c. It shall be a violation of this policy for Murray City School District to solicit or accept any contributions, gifts, money, curricula, or materials from the electronic cigarette industry, tobacco industry, tobacco-related device industry or from any tobacco products shop. This includes, but is not limited to, donations, monies for sponsorship, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities. It shall also be a violation of this policy to participate in any type of service funded by any of the industries listed above.
- d. It shall be a violation of this policy for any person to promote, or for Murray City School District to promote or allow promotion of tobacco products, tobacco-related devices, or e-cigarettes on the school property or at off-campus, school-sponsored events. This includes promotion of these products via gear, bags, clothing, any personal articles, signs, structures, vehicles, flyers or any other materials.
- e. Murray City School District shall act to enforce this policy and to take appropriate action against any student, staff, administrator, or visitor who is found to have violated this policy.
- f. Staff responsible for teaching tobacco-use prevention shall have adequate training and participate in ongoing professional development activities to effectively deliver the education program as planned.

IV. Exceptions

- a. It shall not be a violation of this policy for tobacco products, tobacco-related devices, imitation tobacco products, lighters, or electronic cigarettes to be included in instructional or work-related activities in Murray City School District school buildings if the activity is conducted by a staff member with prior administrative approval or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product.

V. Opportunities for Cessation Programs

- a. Administrators shall consult with the county health department or other appropriate health and allied community-based organizations to provide students, staff, and

administrators with information and access to support systems, programs, and services to encourage them to abstain from the use of tobacco products.

- b. Administrators shall identify and offer programs and services for staff that use tobacco products to support them in complying with this policy.

VI. Enforcement

The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of both tobacco-users and non-users. All individuals on school premises including students, staff, administrators, and visitors share in the responsibility for adhering to and enforcing this policy.

- a. Students
 - i. The first violation shall result in any or all of the following: confiscation of tobacco products, notification of parents, participation in tobacco education program or \$25 fine, and/or suspension of 1-3 days. The student will be offered information about available cessation programs.
 - ii. The second violation shall result in confiscation of tobacco products, notification of parents, mandatory participation in tobacco education program, \$50 fine, and/or referral to Peer Court, and/or Suspension of 1-3 days. The student will be offered information about available cessation programs.
 - iii. The third violation shall result in confiscation of tobacco products, notification of parents, and offering student information about available cessation programs, as well as the following: referral to police, referral to Peer Court if not previously utilized, and/or Suspension of 1-3 days.
- b. Staff
 - i. The first violation shall result in a verbal warning to the staff member, and an offer of a referral to cessation services.
 - ii. The second violation shall result in a written warning to the staff member with a copy placed in his or her district personnel file, and an offer of referral to cessation services.
 - iii. The third violation shall be considered insubordination and shall be dealt with accordingly based on established policies and procedures for suspension and/or dismissal of staff.
- c. Visitors
 - i. Visitors who are observed violating this policy shall be asked to comply with Murray City School District's tobacco-free policy. If the visitor fails to comply with the request, his or her violation of the policy may be referred to the building principal or other school district supervisory personnel available. The supervisor shall make a decision on further action that may

include a directive to leave school property including forfeiture of any fee charged for admission to a school-sponsored event. Repeated violations may result in a recommendation to the superintendent to prohibit the individual from entering school district property for a specified period of time. If he or she refuses to leave, the police may be called.

VII. Dissemination of Policy

- a. Appropriate signage shall be posted throughout the district indicating that Murray City School District requires a tobacco-free environment.
- b. The school shall notify students and parents/guardians of this policy through student handbooks.
- c. The district shall provide notice of this policy to staff by posting it on the district website.

VIII. Program Evaluation

- a. The tobacco-free policy shall be assessed by the school district as needed to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective. Policies and programs shall be updated and revised accordingly.

STATUTES ON TOBACCO USE IN SCHOOLS

20 U.S.C. § 6083(a) Under federal law, smoking is prohibited in any kindergarten, elementary or secondary school or library serving children under the age of 18 years if federal funds are used in the school. *20 U.S.C. § 6083(a)*.
Utah Code § 76-10-105