

PROHIBITION OF TOBACCO PRODUCTS

Tobacco use is the single most preventable cause of death in the United States. Recent estimates suggest that cigarette smoking annually causes more than 400,000 premature deaths and 5 million years of potential life lost. In addition the use of tobacco products (any nicotine containing tobacco product including cigars, cigarettes, and smokeless tobacco) can cause cancer in humans. Smokeless tobacco products are no safer than other tobacco products. They have been shown to be leading contributors to oral cancers and other mouth diseases. The use of tobacco during pregnancy leads to a chance of delivering a low birth weight infant that can have serious health consequences for the child. There also exists a large body of evidence that suggests that environmental smoke is a cause of disease and death in healthy non-smokers. Second hand smoke can also trigger asthma attacks and causes lungs to be more sensitive to other allergens for days. The estimated direct and indirect costs associated with smoking and tobacco use in the United States in 1990 totaled 68 billion dollars.

REGULATIONS

Recognizing the dangers of tobacco use for students and employees, the Summers County Board of Education has formulated the following regulations concerning the use, possession, or distribution of tobacco products:

1. The use and/or distribution of tobacco products by any person in any building, property, or vehicle owned, leased, or operated by the Summers County Board of Education is strictly prohibited.
2. The use and/or distribution of tobacco products is prohibited in any private building, automobile, or any other vehicle when used for school activities.
3. Students **under the age of 21 shall not possess** any tobacco product while engaged in any school activity or while they are in any building, property, or vehicle that is owned, leased, or operated by the Summers County Board of Education. This prohibition also applies to any and all private buildings, properties, or vehicles that are being used for a school activity.
4. School personnel supervising students off the school grounds are prohibited from using tobacco products while in the presence of students or anytime while engaged in any activities directly involving students. This prohibition also applies to any and all private buildings, properties, or vehicles when being used for school activities
5. Advertising of tobacco products in any form in school buildings, at school functions, and in school publications is strictly prohibited.
6. All students, K-12, shall receive instruction each year on the dangers of tobacco use and on its avoidance.
7. All groups using the areas described in these regulations shall sign an agreement that they will comply with this policy and that they will announce to students, parents, and public that this policy remains in force on evenings, weekends, and all other times that school is not in session.
8. A summary of this policy shall be published in the school handbook and be a part of each school's advisory program.

SUMMERS COUNTY BOARD OF EDUCATION

ADOPTED: 1/9/92, Rev. 7/19/97, Rev. 7-16-98, 6/4/01

CODE: V-G-7

REFERENCE: WV CODE 16-9A-1 through 16-9A-4

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WV CODE 18-2-5 WVDE Policy 2422.5A

9. A summary of this policy shall be sent to the home of each student as part of the school's parent information packet.
10. The policy shall be published in the local media during the first month of each school year.

ENFORCEMENT

The enforcement of this policy with students and staff shall be the responsibility of county and school level administrators. This policy shall be reviewed with students and staff at the beginning of each year. A summary of this policy shall be disseminated to each student's household at the beginning of each year.

A. School Personnel

1. School personnel or students who violate this policy shall be referred to a tobacco use cessation program and shall be subject to standard disciplinary procedures as outlined in the employee handbook. A letter of reprimand shall be placed in the employee's personnel file.
2. A second offense shall result in a mandatory 2 day suspension (without pay) and the completion of a tobacco use cessation program. A letter of reprimand shall be placed in the employee's personnel file.
3. A third offense shall result in a complaint to local law enforcement authorities and a mandatory 3 day suspension (without pay).
4. Any further offense shall be considered habitual insubordination and the employee may be subject to dismissal

B. Students:

1. Students who violate this policy shall be referred to a tobacco cessation program and in accordance with WV Code 16-9A those under age 18 shall be subject to a \$25.00 fine and be required to perform 8 hours of community service.
2. A second offense shall result in a mandatory 2 day suspension and the evidence of enrollment in a tobacco cessation program will be required for re-admittance. The student under age 18 will be fined \$50.00 and will be required to perform 16 hours of community service.
3. A third offense shall result in a mandatory 3 day suspension. The student under age 18 will be fined \$100.00 and be required to perform 24 hours of community service.

Possession is in violation of WVA Code only if the student is under the age of 18. Therefore, action involving possession with students who are 18-21 years old shall result in a mandatory 3 day suspension and a re-admittance hearing before the superintendent or designee. Any future offenses shall be considered habitual insubordination and appropriate due process actions will be taken to expel the student from school.

C. Public

Enforcement of this policy at public events shall be an educational process:

1. Signs will clearly identify all board property as Tobacco Free areas.
2. All programs at each school sponsored event shall carry a notice that school events and property shall be Tobacco Free.

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3. An announcement will be made prior to all school events that are open to the public that tobacco usage is prohibited.
4. 16-9A-2(c) “Any individual who knowingly and intentionally sells, gives, or furnishes or causes to be sold, given or furnished to any person under the age of eighteen years any cigar, cigarette, snuff, chewing tobacco, or tobacco product, in any form, is guilty of a misdemeanor and, upon conviction thereof, for the first offense shall be fined not more than one hundred dollars; upon conviction thereof for a second or subsequent offense, is guilty of a misdemeanor and shall be fined not less than one hundred nor more than five hundred dollars.”

TOBACCO CESSATION SERVICE AGENCIES:

Local: Summers County Hospital
Summers County Wellness Center
Summers County Health Department
Summers County School Nurse

State: American Lung Association of West Virginia
American Cancer Society
Mary Babb Randolph Cancer Center
American Heart Association

PROCEDURES FOR REVIEW

This policy shall be review biannually by the Summers County Drug Free Advisory Board and need changes shall be instituted following Summers County Board of Education Policy.