

STUDENT TOBACCO POSSESSION AND USE

- 1.0 **Introduction.** The use or possession of tobacco or nicotine products at school, school activities or events or in any vehicle used by the District is prohibited. Some municipalities within the District have ordinances further restricting possession or use of tobacco by minors within their city boundaries.
- 2.0 **Definitions.**
- 2.1 Tobacco is defined as any product that contains tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual. This includes any product packaged for smoking.
 - 2.2 Nicotine is defined as any product that contains nicotine or is derived from nicotine and is intended to be ingested or inhaled by or applied to the skin of an individual.
 - 2.3 Use is defined as the lighting, chewing, smoking, application or ingestion of any tobacco or nicotine product directly or through a delivery mechanism.
 - 2.4 Possession is bringing, possessing or having tobacco or nicotine products in one's control.
 - 2.5 Sale, Distribution, Transfer, or Solicitation of tobacco or nicotine products at school is prohibited. Sale, distribution, transfer, and solicitation shall have the same meanings as in District Policy 5040 regarding controlled substances. Offenses for these violations typically result in suspension out of school for the first offense.
 - 2.6 This policy is not intended to prohibit the proper use of approved tobacco cessation products.
- 3.0 **Sanctions and Interventions.**
- 3.1 Offenses and consequences for tobacco policy violations will be cumulative for a period of 3 calendar years. Offenses confirmed from schools prior to enrollment in the District may apply toward this cumulative total.
 - 3.2 For all violations staff members shall confiscate the tobacco product(s) and notify parents of the violation. Law enforcement may be notified at administrator discretion.
 - 3.3 **1st Offense** – Warning and education about the policy with the student and parents. Students shall be enrolled in a District-approved Tobacco Education or Prevention Program.
 - 3.4 **2nd Offense** – A staff member shall review each item in the tobacco policy with student and parents, and assign tobacco-related community service opportunities to the student. Available opportunities are provided in the Tobacco-Free Procedures along with community service sign-off forms.
 - 3.5 **3rd Offense** – Three or more tobacco related offenses may be considered defiance of authority and may result in the student being issued a one day IN-SCHOOL suspension. As an alternative to suspension, students not already participating in a tobacco cessation/education program or community service project may agree to participate in such a program provided through the school or in the community. Failure to successfully complete the agreed program would result in the original suspension being reinstated.
 - 3.6 **4th or Subsequent Violations** – Such violations will be considered defiance of authority and may result in suspensions of up to three (3) days for each offense.

- 4.0 Many secondary schools in the District offer tobacco cessation programs at no-cost to students. Students or parents interested in participation in cessation/education programs should inquire at their school's counseling office or refer to the Tobacco-Free Procedures.

LEGAL REFERENCES:

C.R.S. 22-32-109 (1) (bb) (I)

C.R.S. 22-32-109.1

C.R.S. 25-14-103.5 et seq.

CROSS REFERENCES:

Policy 3740

Policy 5000

Policy 5010

Policy 5045