

**~~TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS -FREE
SCHOOL AND GROUNDS
FOR STUDENTS, STAFF, AND COMMUNITY~~**

~~Smoking, chewing or any other use of any tobacco products by staff, students, and visitors is prohibited on school property.~~

~~For purposes of this policy,~~

~~1. "School property" means:~~

- ~~a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.~~
- ~~b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;~~
- ~~c. All vehicles used by the division for transporting students, staff, visitors or other persons.~~
- ~~d. "Tobacco" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" includes cloves or any other product packaged for smoking.~~
- ~~e. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.~~

~~This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.~~

~~Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.~~

~~Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.~~

~~Designated Smoking Areas~~

~~The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.~~

Electronic Cigarettes

~~Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school sponsored activities.~~

~~All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.~~

Generally

All persons are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

Definitions

“Nicotine vapor product” means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. “Nicotine vapor product” includes electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. “Nicotine vapor product” does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

“Tobacco product” means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrapping. “Tobacco product” does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: February 10, 1997, effective July 1, 1997

Reviewed: December 8, 1997
Amended: August 8, 2002; August 26, 2004; August 28, 2008; August 14, 2015

Legal Ref.: 20 U.S.C. § 6083, 7183

Code of Virginia, 1950, as amended, §§~~15.2-2820, 15.2-2824, 15.2-2825, 15.2-2827, 18.2-371.2,~~
22.1-79.5, ~~_____~~ 22.1-279.6

Cross Ref.: CLA, Reporting Acts of Violence and Substance Abuse
GBECA, Electronic Cigarettes
~~_____~~ JFCH, Tobacco Free School and Grounds for Students, Staff and Community
JFC, Standards of Conduct
JFCH/KGC, Tobacco Products and Nicotine Vapor Products
KG, Community Use of School Facilities
KGB, Public Conduct on School Property
KGC, Use of Tobacco and Electronic Cigarettes on School Premises