**Model Tobacco-Free Policy for School Districts in Georgia**

The *(name of school district)* School Board recognizes that the use of tobacco**[[1]](#footnote-1)** products, including electronic smoking devices and flavored 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, including electronic smoking devices, to users and non-users. The Board also believes accepting gifts or materials from the tobacco industry will send an inconsistent message to students, staff, and visitors.

The Board acknowledges that staff and visitors serve as role models for students. The Board has an obligation to promote positive role models in schools and provide a healthy and safe learning and working environment, free from unwanted smoke or aerosol and other tobacco use for the students, staff, and visitors.

In 2018, the U.S. Surgeon General issued an advisory on the electronic cigarette epidemic among youth.The recent increase in electronic cigarette uses among youth, fueled by new types of electronic smoking devices and flavors is a major public health concern. To combat this epidemic, the Food, Drug and Cosmetic Act was amended to raise the minimum age of sale of tobacco products from 18 to 21 years of age (known as Tobacco to 21 Act) in December 2020. The Board acknowledges it plays an important role in protecting students from the consequences of using any tobacco product by implementing and enforcing comprehensive tobacco-free school policy and prevention programs.

Finally, the board recognizes that it has a legal authority and obligation pursuant to the Georgia Smokefree Air Act of 2005 (O.C.G.A. 31-`2a-1 et seq.), the federal Pro-Children's Act (Title X of Public Law 103-227), the Georgia Youth Access Law (GA. Code ANN. § 16-12-171 2004) and the No Child Left Behind Act.

**Tobacco Use is Prohibited**

Students are prohibited from possessing, using, consuming, displaying, promoting, or selling any tobacco products, tobacco-related devices, flavored tobacco products, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored event 24 hours per day, seven days per week.

Staff and visitors are prohibited from using, consuming, displaying, activating, promoting, or selling any tobacco products, tobacco related devices, flavored tobacco products, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored event 24 hours per day, seven days per week. This includes products or paraphernalia displaying tobacco industry brands.

**Exceptions**

The policy may permit tobacco products to be included in instructional or research activities in public school buildings if the activity is conducted or supervised by the staff member overseeing the instruction or research and the activity does not include smoking, vaping, chewing, or otherwise ingesting the tobacco product.

**Tobacco Use and Tobacco Products**

Tobacco use includes chewing, smoking, absorbing, dissolving, dipping, inhaled, snorting, sniffing, or ingesting by any other means, or any component, part, or accessory of a tobacco product including use of electronic smoking devices or other combustible tobacco products.

Tobacco products are any products containing, made, or commercial tobacco or nicotine, whether synthetic or natural, that is intended for human consumption, including but not limited to cigarettes, electronic smoking devices; cigars, little cigars; cigarillos, bidis; blunts, blunt wraps, pre wrapped blunt cones & tubes; 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, forms, and flavors of tobacco. The term tobacco refers to commercial as opposed to traditional tobacco, which is grown, harvested, and used by American Indians and Alaskan Natives for ceremonial or medicinal purposes.

Imitation tobacco products are any edible non-tobacco product designed to resemble a tobacco product, or any non-edible non-tobacco product designed to resemble a tobacco product and intended to be used by children as a toy. This includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged like snus, and shredded beef jerky in containers resembling snuff tins.

Tobacco-related devices are ashtrays, rolling papers, wraps, or pipes for smoking and any components, filters, rolling papers, pipes, substances, or accessories of electronic smoking devices as well as cigarette packages or smokeless tobacco containers, lighters, key chains, t-shirts, coffee mugs, and any other items containing or reasonably resembling tobacco or tobacco products.

**School Property**

School property means in, on or within any building, structure, athletic playing filed, playground, other recreational places, parking lots, school buses and other school-related vehicles owned, leased, rented, contracted for, or controlled by (Name of School District) used for the provision of academic, extracurricular programs and administration.

**Time of Day**

“Any time” or “at all times” means during normal school and non-school hours - 24 hours per day, 7 days per week, 365 days per year.

**Signage**

Signs declaring all school grounds and property as tobacco-free will be posted in all school buildings and vehicles. Signs will be posted at all vehicular entrances to school grounds and building entrances, and in all indoor and outdoor athletic facilities.

**Enforcement for Students**

Consequences for students engaging in the prohibited behavior will be provided in accordance with the school’s behavior management plan. Students who violate the school districts tobacco use policy will be referred to the guidance counselor, school nurse, or other health or counseling services for all offenses for screening, information, counseling, and referral. All student violators will have access to an Alternative to Suspension (ATS) program. The ATS program will provide up-to-date information on the many consequences of tobacco use, offer techniques that students can use to stop tobacco use at school, and provide referrals to local youth tobacco cessation programs. Parents/guardians will be notified of all violations and actions taken by the school. School may also use community service as part of the consequences. Suspension will only be used after a student has several prior violations or refused to participate in other outlined measures.

**Enforcement for Staff and Visitors**

Consequences for employees who violate the tobacco use policy will be in accordance with personnel policies and may include verbal warning, written reprimand, or termination. Visitors using tobacco products will be asked to refrain while on school property or leave the premises. If they refuse, law enforcement officers will be contacted to escort the person off the premises or cite the person for trespassing in case the person refuses to leave the school property. In the case of a violation within the building of a school, the person is in violation of the Georgia Smokefree Air Act of 2005 (O.C.G.A. 31-`2a-1 et seq.) and the federal Pro-Children's Act (Title X of Public Law 103-227) and subject to a fine. Signage will be prominently posted in all visitors’ areas and school staff and officials will communicate policy to visitors upon arrival and infractions.

**Enforcement at Outdoor School Sponsored Events on Campus Grounds**

All outdoor school sponsored events on campus (ex. athletic events, meetings or functions by community groups renting school property) must be tobacco free. This policy must be clearly stated in all contracts, correspondence and verbal and written announcements to all attendees and contractors.

**Enforcement at School Sponsored Events Off Campus**

All indoor and outdoor school sponsored events off campus in venues (ex: rented arenas, stadiums, halls, theaters) must be tobacco free. This policy must be clearly stated in all contracts, correspondence and verbal and written announcements to all attendees and contractors.

**Opportunities for Cessation**

The administration will identify and offer evidence-based programs and services for students who are ready to quit tobacco use. The administration will identify and offer evidence-based programs and services for school staff who use tobacco products to support them in complying with the policy that prohibits tobacco use on school grounds and during school-related events and assisting those staff who are ready to quit smoking or other tobacco use.

**Prevention Education**

The administration will identify programs or opportunities for students (inside and or outside of the classroom) to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean, and inviting school environment. The programs or activities for students will not be paid for or developed by the tobacco industry or its subsidiaries. As a requirement of the Quality Basic Education Act (O.C.G.A. 20-2-142), the State Board of Education shall provide a course of study in health and physical education for all grades and grade levels to provide instruction concerning the impact of vaping and vapor products.

**Procedures for Implementation**

The policy will go into effect *(Date policy will go into effect*). The administration will develop a plan for communicating the policy that will include information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage (as mentioned above) in buildings and around campus. Other methods will be identified for notifying students, staff, and parents about this policy. An enforcement plan, which identifies consequences for students, staff and visitors who violate the policy, will be created, and communicated to all students, staff, and parents.

**Policy Evaluation**

The tobacco-free policy shall be assessed by the school district or its designee evaluator at regular intervals, but at least once a year, to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective. Policies and programs shall be updated and revised accordingly.

**Effective Date**

This policy shall be effective on [date].

**Model Enforcement Policy**

**Enforcement policies for students:**

**1st Offense:** Confiscation of tobacco products; parent/guardian notification; tobacco education and cessation resources/Alternative to Suspension course is mandatory

**2nd Offense:** Confiscation of tobacco products; parent/guardian notification; tobacco education and cessation resources/Alternative to Suspension course is mandatory

**3rd Offense:** Confiscation of tobacco products; parent/guardian notification; tobacco education and cessation resources/Alternative to Suspension course is mandatory

**4th Offense:** Administrator’s discretion

**Enforcement for staff:** Should follow the school’s personnel regulations as with any other personnel policy.

**Enforcement policies for visitors:** Communicate, Communicate, And Communicate!

### *Revised August 2021*

###  *Adopted from the commercial tobacco-free K-12 school model policy of the Public Health Law Center*

1. The term tobacco in this tobacco-free policy refers to commercial tobacco and not the sacred and traditional use of tobacco by some American Indian communities. [↑](#footnote-ref-1)