

# Model Tobacco-Free Policy for School Districts in Georgia

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## I. Purpose

The (*name of school district*) School Board recognizes that the use of tobacco and electronic delivery devices (ex. electronic cigarettes/vapes), and flavored 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 and electronic delivery 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 and electronic delivery device 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 use among youth, fueled by new types of electronic delivery 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 21) in December 2019. As of July 2020, Georgia implemented CODE §16-12-171 Tobacco 21 (T21), raising the minimum legal sales age for tobacco products to 21 years old. 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 policies and prevention programs.

Finally, the board recognizes that it has legal authority and obligation pursuant to the Georgia Smokefree Air Act (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 (O.C.G.A. Title 16, ch. 12, art. 7 (O.C.G.A. § 16-12-171) and the No Child Left Behind Act.

## II. Definitions

**Administrator:** any person who has disciplinary and managerial authority to enforce school policies, including but not limited to principals, vice-principals, and office personnel.

**Any time:** 24 hours a day, seven days a week, 365 days a year, at all times.

**Cessation program:** program specifically designed to assist individuals in quitting the use of tobacco products, inclusive of electronic delivery devices.

**Commercial tobacco:** any use of a tobacco product for a purpose other than the sacred practice and traditional use by some tribes.

**Electronic delivery device:** any product containing or delivering nicotine, or any other substance, whether natural or synthetic to the user in the form of an aerosol. Also called but not limited to electronic nicotine delivery systems, e-cigarettes, vapes, hookah pens, e-pipes and mods. Electronic delivery devices include any component part of a product, including but not limited to e-liquids, e-juice, cartridges, or pods.

**Imitation tobacco product:** 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. "Imitation tobacco product" includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.

**Off-campus, school-sponsored event:** 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, dances, or theatrical productions.

**School property:** in, on, or within any building, structure, athletic playing field, playground, other recreational places, parking lots, school buses, and other school-related vehicles owned, leased, rented, contracted for, or controlled by the district/school used for the provision of academic, extracurricular programs and administration.

**Signage:** signs declaring all school grounds and property as tobacco-free and vape-free.

**Staff:** any person employed by the district/school this term includes, but is not limited to, faculty, service personnel, student teachers, adult classroom or student aides, and other adults working for the district/school.

**Student:** any person enrolled in the district/school educational system.

**Tobacco industry:** manufacturers, distributors, or wholesalers of tobacco products or tobacco-related devices (e.g., Altria). This includes parent companies and subsidiaries.

**Tobacco product:** any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is 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; electronic delivery devices; vape products; cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff powder; 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.

**Tobacco-related devices:** ashtrays, rolling papers, wraps, or pipes for smoking and any components, parts, or accessories of electronic smoking devices.

**Visitor:** any person subject to this policy who is not a student, staff, or administrator as defined above. This definition includes caregivers, contractors, and the public.

### **III. General Statement of Policy**

Students are prohibited from possessing, using, consuming, displaying, promoting, or selling any tobacco products or electronic delivery devices, tobacco-related devices, flavored tobacco products, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored events.

Administrators, staff, and visitors are prohibited from using, consuming, displaying, activating, promoting, or selling any tobacco products or electronic delivery devices, tobacco-related devices, flavored tobacco products, imitation tobacco products, or lighters at any time on school property or at any off-campus, school sponsored events. This includes products or paraphernalia displaying tobacco industry brands.

It is prohibited for any person to solicit or accept any contributions, gifts, money, or materials from the tobacco industry. This includes, but is not limited to, donations, monies for sponsorships, scholarships, curricula/educational materials, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities.

It is prohibited for any person to promote, or for the district/school to promote or allow the promotion of tobacco products and electronic delivery devices, tobacco-related devices, or imitation tobacco products on school property or at off-campus, school-sponsored events. This includes the promotion of gear, technology accessories, bags, clothing, personal articles, signs, structures, vehicles, flyers, or any other materials.

### **IV. Exceptions**

The policy may permit tobacco products or electronic delivery devices 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.

## **V. Enforcement/Accountability**

### **Students**

1<sup>st</sup> Offense: Confiscation of tobacco products or electronic delivery devices; parent/guardian notification; tobacco/electronic delivery device education and cessation resources as an alternative to suspension.

2<sup>nd</sup> Offense: Confiscation of tobacco products or electronic delivery devices; parent/guardian notification; tobacco/electronic delivery device education and cessation resources as an alternative to suspension.

3<sup>rd</sup> Offense: Confiscation of tobacco products or electronic delivery devices; parent/guardian notification; tobacco/electronic delivery device education and cessation resources as an alternative to suspension course.

4<sup>th</sup> Offense: Administrator's discretion

### **Staff**

1<sup>st</sup> Offense: This shall result in a verbal warning to the staff member and an offer of a referral to cessation services.

2<sup>nd</sup> Offense: This shall result in a written warning to the staff member with a copy placed in the staff member's district personnel file, and an offer of referral to cessation services.

Repeat violations should follow the school's personnel regulations as with any other personnel policy.

### **Visitors:**

Visitors violating the policy shall be asked to comply with the district/school's tobacco-free policy.

Communicate, Communicate, And Communicate!

### **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 and vape-free. This policy must be clearly stated in all contracts, correspondence, and verbal and written announcements to all attendees and contractors.

## **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 and vape-free. This policy must be clearly stated in all contracts, correspondence, and verbal and written announcements to all attendees and contractors.

## **V. Prevention Education**

The administration will identify programs or opportunities for students (inside and or outside of the classroom) to understand the health hazards and impact of tobacco and electronic delivery device use including how 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 electronic delivery devices.

## **VI. Opportunities for Cessation Programs**

The administration will identify and offer evidence-based programs and services for students, who are ready to quit tobacco and vape use. The administration will identify and offer evidence-based programs and cessation services for school staff and administrators who use tobacco or electronic delivery devices to support them in complying with the policy.

## **VII. 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 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.

Signs declaring all school grounds and property as tobacco-free and vape-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.

## **VIII. 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.

## **IX. Effective Date**

This policy shall be effective on [date].

*Adopted from the commercial tobacco-free K-12 school model policy of the Public Health Law Center  
Reviewed July 2024*