



# MODEL TOBACCO-FREE POLICY FOR KANSAS SCHOOLS



## I. Findings & Purpose

- (A) Tobacco use is the single most preventable cause of death in the United States.<sup>1</sup>
- (B) The use of tobacco products by the nation's children is a pediatric disease of considerable proportions that results in new generations of tobacco-dependent children and adults.<sup>2</sup>
- (C) In Kansas, smoking causes 4,400 deaths annually, and is responsible for \$1.12 billion in health care costs. Each year, 1,600 Kansas children become new daily smokers.<sup>3</sup>
- (D) Exposure to substantial and unavoidable tobacco advertising leads to favorable beliefs about tobacco use, plays a role in leading young people to overestimate the prevalence of tobacco use, and increases the number of young people who begin to use tobacco.<sup>4</sup>





- (E) E-cigarette use among youth and young adults has become a public health concern. In 2014, current use of e-cigarettes by young adults 18-24 years of age surpassed that of adults 25 years of age and older. The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.<sup>5</sup>
- (F) The [ district name ] Board of Education recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board believes that the use or promotion of tobacco products on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff, and visitors.
- (G) The Board acknowledges that adult staff and visitors serve as role models for students and embraces its obligation to provide learning and working environments that are safe, healthy, and free from unwanted smoke and tobacco use.

## II. Definitions

- (A) **“Any time”** means 24 hours a day, seven days a week.
- (B) **“Electronic Cigarette”** means a device, whether or not such device is shaped like a cigarette, that can provide inhaled doses of nicotine by delivering a vaporized solution by means of cartridges or other chemical delivery systems.
- (C) **“Off-campus, school-sponsored event”** means any event sponsored by a school or the school district that is not on school property, including but not limited to, sporting events, day camps, field trips, dances or theatrical productions.
- (D) **“Parent/Guardian”** means any person that has legal guardian status over a student.
- (E) **“School”** means any nursery, day care center, child care facility, Head Start program, kindergarten, elementary, secondary school, alternative learning center or adult education center operated under the control of [ district name ].
- (F) **“School property”** means all facilities and property, including vehicles, whether owned, rented, leased, or otherwise controlled by [ district name ].
- (G) **“Smoking”** means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product, whether natural or synthetic, made of tobacco, nicotine, tobacco, marijuana, or another plant, that is intended for inhalation. “Smoking” also includes the use of an electronic cigarette.
- (H) **“Staff”** means any person employed by [ district name ] in a full or part-time capacity, any position contracted for by [ district name ], or anyone working on a volunteer basis. This term includes, but is not limited to: faculty, service personnel, chaperones, and vendors.
- (I) **“Student”** means any person enrolled in [ district name ]’s educational system.
- (J) **“Tobacco product”** means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. “Tobacco product” also means electronic cigarettes and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and substances used in electronic cigarettes, whether or not they contain nicotine.

- (K) **"Tobacco-related devices"** means ashtrays, cigarette papers, pipes for smoking, or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of tobacco products.
- (L) **"Visitor"** means any person subject to this policy that is not a student or staff.





### III. General Statement of Policy

- (A) No student shall smoke, possess, use, consume, display or sell any tobacco products, tobacco-related devices, or electronic cigarettes at any time on school property or at off-campus, school-sponsored events.
- (B) No staff, administrator, or visitor of [ district name ] shall smoke, use, consume, display or sell any tobacco products, tobacco-related devices, or electronic cigarettes at any time on school property.
- (C) It shall be a violation of the policy for any staff, administrator, or visitor of [ district name ] to smoke or to use, consume, display, or sell any tobacco products, tobacco-related devices, or electronic cigarette at any off-campus, school-sponsored events.
- (D) The promotion of tobacco products, tobacco-related devices, or electronic cigarettes on school property or at off-campus, school-sponsored events is prohibited. "Promotion" includes, but is not limited to, product advertising via branded gear, bags, clothing, any personal articles, signs, structures, vehicles, flyers or any other materials.
- (E) **Optional:** Tobacco use prevention will be incorporated into the student curriculum.

## IV. Exceptions

- (A) It is not a violation of this policy to include tobacco products, tobacco-related devices, or electronic cigarettes in instructional or work-related activities if the activity is conducted by staff or approved visitors and does not include smoking, chewing, or otherwise ingesting the product.
- (B) It is not a violation of this policy to use a product that has been approved by the U.S. Food and Drug Administration as a tobacco cessation product, a tobacco dependence product, or for other medical purposes.

## V. Cessation Assistance

District administration will consult with the county health department or other appropriate health- and community-based organizations to identify and provide students and staff information on and access to support systems, programs, and services that encourage them to abstain from the use of tobacco products and support their efforts to comply with this policy.



## VI. Enforcement

The success of this policy will depend upon the consideration and cooperation of tobacco-users and non-users. Enforcement is a shared responsibility of all students, staff, and visitors.

### (A) Students

- (1) Students who violate the policy will be provided information on cessation.
- (2) The tobacco products or other devices will be confiscated.
- (3) Student violations may also result in: parent/guardian notification, substance abuse assessments, participation in tobacco education program, suspension or ineligibility to participate in extracurricular activities, community service, or notification of law enforcement.

### (B) Staff

- (1) Staff who violate this policy will be offered a referral to cessation services.
- (2) (Multiple) Violations are grounds for disciplinary action.

### (C) Visitors

- (1) Visitors who violate this policy will be asked to comply.
- (2) Individuals who fail to comply upon request may be referred to the principal or other supervisory personnel and may be directed to leave school property and may forfeit any admission fee. Law enforcement may also be contacted.
- (3) Repeated violations may result in the individual being prohibited from entering school property for a specified period of time.

## VII. Dissemination of Policy

- (A) Signage indicating [ district name ] is a tobacco-free environment will be posted throughout the district at building entrances and other appropriate locations.
- (B) Students and parents/guardians will be notified of this policy through student handbooks.
- (C) The tobacco-free policy will be incorporated into staff handbooks.
- (D) Reminder announcements will be made at school events when possible.

## VIII. Program Evaluation

The tobacco-free policy will be assessed at regular intervals to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective and will be updated and revised accordingly.

## IX. Effective Date

This policy shall take effect in full on [ insert date ].

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## Endnotes

- 1 CENTERS FOR DISEASE CONTROL AND PREVENTION, TOBACCO CONTROL STATE HIGHLIGHTS 2010,1-2 (2010), [http://www.cdc.gov/tobacco/data\\_statistics/state\\_data/state\\_highlights/2010/pdfs/highlights2010.pdf](http://www.cdc.gov/tobacco/data_statistics/state_data/state_highlights/2010/pdfs/highlights2010.pdf).
- 2 CDC, Youth and Tobacco Use, [https://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/youth\\_data/tobacco\\_use](https://www.cdc.gov/tobacco/data_statistics/fact_sheets/youth_data/tobacco_use).
- 3 Campaign for Tobacco-Free Kids, The Toll of Tobacco in Kansas, [https://www.tobaccofreekids.org/facts\\_issues/toll\\_us/kansas](https://www.tobaccofreekids.org/facts_issues/toll_us/kansas).
- 4 Joseph R. DiFranza et al., *Tobacco Promotion and the Initiation of Tobacco Use: Assessing the Evidence for Causality*, 117 PEDIATRICS e1237 (2006) <http://pediatrics.aappublications.org/cgi/reprint/117/6/e1237>.
- 5 U.S. Department of Health and Human Services. *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.