



Book: Policies for MI Local Update

Section: Vol. 34, No. 1 - September 2019 (TOBACCO POLICIES)

Title: Vol. 34, No. 1 - September 2019 Tobacco Policies Revised USE OF TOBACCO ON SCHOOL PREMISES

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7434 - USE OF TOBACCO ON SCHOOL PREMISES

The Board of Education believes that the right of persons to use tobacco must be balanced against the right of those who do not use tobacco to breathe air untainted by tobacco.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco products on District premises (owned or leased), in District vehicles, at all school sponsored events and in all school buildings owned and/or operated by the District.

For purposes of this policy:

"tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;

"use of a tobacco product" means any of the following:

the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;

the inhaling or chewing of a tobacco product;

the placing of a tobacco product within a person's mouth;

() the use or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

The term “tobacco” includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL's"), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board does not condone smoking and/or the use of tobacco, the Board prohibits the use of tobacco or tobacco substitute products at all times

(twenty-four hours a day, seven days a week)

within any enclosed facility owned or leased or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to:

school grounds,

athletic facilities,

any school-related event,

on or off Board premises,

except at designated times, and

in designated areas as defined in statute.

Tobacco may be used in designated outdoor areas on school property on Saturdays, Sundays, and after 6 p.m. on days during which there are regularly-scheduled school hours.

Tobacco may be used at nondistrict special events held during nonschool hours with no students present and

with the permission of the Superintendent. The special-events supervisor shall submit a written request and justification to permit smoking at the event. The Superintendent may deny permission.

Tobacco may not be advertised or promoted on school property or at school controlled events. Therefore, signs, clothing, bags, accessories, and other items promoting tobacco or containing tobacco branding are prohibited on school property and at school controlled events.

Tobacco companies/products may not sponsor any school activity or project.

Violations of this policy may result in removal from school property or the school activity in accordance with Policy 9150 – School Visitors.

The Superintendent shall designate the individuals and the methods to monitor compliance with this policy.

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Legal References

M.C.L. 333.12601 et seq.

M.C.L. 380.1170

M.C.L. 750.473

20 U.S.C. 6081 et seq.

U.S.D.O.E. Memorandum, 1995

MDE Board Policy on 24/7 Tobacco-Free Schools