



**I. Policy Statement**

The Board of Education recognizes its responsibility to provide a safe and healthy learning environment for all students. The Board recognizes that the use of tobacco products is a health and environmental hazard for both the user and non-user. The Board acknowledges the necessity for the school system to ensure that the school environment promotes and protects students' health and ability to learn by providing tobacco prevention education and resources. The Board believes schools have a responsibility to help students develop the skills, knowledge, and attitudes necessary to adopt and maintain a healthy lifestyle.

**II. Purpose**

The purpose of this policy is to help prevent the use of tobacco products by students, support cessation efforts, and delineate the consequences for violations of the policy.

**III. Definitions**

Within the context of this policy, the following definitions apply:

- A. Possession (as defined exclusively from Use) – the presence of tobacco products, cigarette rolling papers or electronic cigarette products on the person of a student, however small the amount, in or on any item or belonging under the control of the student or owned by the student, when such presence of the tobacco product, cigarette rolling papers or electronic cigarette products is observed or discovered or has occurred in any setting in which students are responsible to school authority and/or supervision.
- B. School Building – Facilities owned or leased by the HCPSS. This includes schools, central office, warehouses, garages or other buildings belonging to the school system regardless of whether or not students are present.
- C. School Bus Stop – A designated location where students board and are discharged from a school bus.
- D. School Property – Any property owned or leased by the HCPSS. The concept of property shall extend to school activities such as field trips, use of parks and recreation facilities, proms, etc. This means that when a facility is scheduled for student use, it will be considered an extension of school property.

- E. Tobacco – Products derived from the tobacco plant that are smoked, chewed, sniffed, or otherwise consumed. This does not include nicotine replacement therapy.
- F. Tobacco Use Prevention Class – A class for first time offenders of the Student Use and Possession of Tobacco Products Policy.
- G. Tobacco Use Cessation Program – An intervention program provided through a public health agency or private provider to assist the student in stopping the use of tobacco products. This includes an initial assessment and follow up treatment consisting of individual and/or group counseling.
- H. Use of Tobacco/Electronic Cigarette Products – The act of inhaling or exhaling the fumes of tobacco or something like tobacco or the act of placing a tobacco product such as snuff, chewing tobacco, and the like in the mouth or nose.

#### **IV. Standards**

- A. The Superintendent/Designee will offer programs to encourage students to remain tobacco-free. Instruction on the risks and consequences of tobacco use will be part of the required health education programs at the elementary, middle, and high school levels. The school system will support tobacco use cessation efforts.
- B. The use or possession of any tobacco product, cigarette rolling papers or electronic cigarette products by students is prohibited in school buildings, in school vehicles, on school property, and at school bus stops at all times.
- C. Cases of student violation of this prohibition will be identified, reported, and actions taken in accordance with guidelines developed and distributed by the Superintendent. Disciplinary action for such student violation will also be administered in accordance with the guidelines developed and distributed by the Superintendent.
- D. Students will be notified regarding the provisions of this policy on a yearly basis.

#### **V. Compliance**

- A. The Superintendent/Designee and school administrators are responsible for communicating the provisions of this policy on an annual basis.
- B. The Superintendent/Designee is responsible for developing a required health education program for instruction in the risks and consequences of tobacco use.
- C. The Superintendent/Designee and school administrators are responsible for implementing this policy.

**VI. Delegation of Authority**

The Superintendent is authorized to develop appropriate procedures to implement this policy.

**VII. References**

A. Legal References:

The Annotated Code of Maryland, Criminal Law Article, Section 10-107  
(Distribution of tobacco product or paraphernalia to minor) and Section  
10-108 (Possession of tobacco product by minor; use of false identification)  
COMAR 13A.02.04. Tobacco-Free School Environment

B. Other Board Policies

Policy 1050 Tobacco-Free Environment  
Policy 9020 Students' Rights and Responsibilities  
Policy 9200 Discipline  
Student Code of Conduct

**VIII. History**

ADOPTED: June 1, 1971

REVIEWED:

MODIFIED: August 14, 2014

REVISED: February 22, 1990

January 26, 1995

February 1, 1995

October 15, 1996

October 23, 1997

January 26, 1998

April 16, 2009

EFFECTIVE: August 14, 2014

## **I. Definitions**

Within the context of these procedures, the following definition applies:

**Suspension** – The denial of a student’s right to attend regular classes or school for a specified period of time for cause. Suspension includes extended suspension, in-school suspension, short-term suspension, or long-term suspension.

- A. **In-School Suspension** – The removal of a student from the student's current education program, for up to but not more than 10 school days in one school year, for disciplinary reasons by the principal to another location within the school building.
- B. **Short-Term Suspension** – The removal of a student from school for up to but not more than 3 school days for disciplinary reasons as determined by the principal.
- C. **Long-Term Suspension** – The removal of a student from school for between 4–10 school days for disciplinary reasons as determined by the principal.
- D. **Extended Suspension** – The exclusion of a student from school for between 11 and 45 school days for disciplinary reasons as determined by the Superintendent/Designee.

## **II. Notifications**

- A. Administrators will notify all students, parents, and staff members annually that tobacco is prohibited on school grounds and at school-related activities. Notification may be:
  - 1. Given via an announcement over the public address system at the beginning of the school year and at other appropriate times
  - 2. Published in the school newsletter and/or in student/faculty handbooks
  - 3. Posted for students and staff on bulletin boards in the main office, teachers’ lounge, guidance office, and other commonly used areas
  - 4. Published with school lunch menus
  - 5. Provided to new students and parents through the registration process.

- B. Administrators will notify all middle and high school students in writing regarding the provisions of this policy annually. Students will acknowledge receipt of such notification with their signature.
- C. The principal is directed to inform all students, parents, and staff of the Student Use and Possession of Tobacco Products Policy at the beginning of each school year, upon enrollment of a new student, or when deemed necessary by the principal.

### **III. Violation of Policy**

- A. An administrator will investigate any alleged violation of this policy and complete the required incident report as soon as that violation is made known.
- B. If, at the conclusion of the investigation, the school administrator finds that there has been a violation of this policy, consequent action will be taken in accordance with the provisions of Policy 9200 Discipline, and the Howard County Student Code of Conduct.
- C. For violating this policy, students will be assigned the following consequences:

1. First Offense – A school administrator will hold a conference with the student and the parent. The administrator will remind the student and parent that the HCPSS maintains a tobacco-free environment. The school administrator will provide the parent with referral information to a tobacco use cessation program administered by a public health agency or private provider. In addition, the student will be assigned to the Tobacco Management Class held as part of the Saturday School program.

Failure to attend the Tobacco Management Class will result in the out-of-school suspension of the student for one school day.

2. Second Offense – A school administrator will hold a conference with the student and the parent. The student will be suspended for three (3) school days. The student will have the option of enrolling in a tobacco use cessation program administered by a public health agency or private provider instead of serving the three (3) day suspension. The school administrator will provide the parent with referral information for that program. If the student chooses this option, proof of enrollment must be provided to a school administrator. If proof of enrollment is not provided within five (5) school days, the student will be required to serve the three (3) day suspension.

If proof of enrollment and completion are not provided, the student will be required to serve the designated length of suspension.

3. Third Offense – A school administrator will hold a conference with the student and the parent. The student will be suspended for five (5) school days. The student will have the option of enrolling in a tobacco use cessation program administered by a public health agency or private provider instead of serving the five (5) day suspension. The school administrator will provide the parent with referral information for that program. If the student chooses this option, proof of enrollment must be provided to a school administrator. If proof of enrollment is not provided within five (5) school days, the student will be required to serve the five (5) day suspension.

If proof of enrollment and completion are not provided, the student will be required to serve the designated length of suspension.

4. Fourth and Subsequent Offenses – A school administrator will hold a conference with the student and the parent. The student will be suspended for ten (10) school days and referred to the Superintendent/Designee. The Superintendent/Designee will conduct an additional investigation. A suspension of up to twenty (20) school days will be assigned. The student may choose to serve the suspension or to enroll in and complete a tobacco use cessation program administered by a public health agency or private provider. If the student chooses this option, proof of enrollment must be provided to the Superintendent/Designee before the student can return to school. The student must also provide proof of completion of the program within a period of time determined by the Superintendent/Designee.

If proof of enrollment and completion are not provided, the student will be required to serve the designated length of suspension.

#### **IV. Responsibility**

The faculty, staff, and students of all schools are expected to support the successful implementation of the Student Use and Possession of Tobacco Products Policy.

#### **V. History**

ADOPTED: June 1, 1971  
REVIEWED:  
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January 26, 1995  
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