



<i>New Summit Charter Academy</i>	<i>Policies and Procedures</i>
Policy Name:	Tobacco-Free Schools
Policy Number:	ADC - NSCA
Original Date:	09/15/2018
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Category:	Education
Author:	
Approval:	NSCA Board of Directors

To promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco product by staff, students and members of the public is prohibited on all school property.

Possession of any tobacco product by students is also prohibited on school

property. For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:
 - a. All indoor facilities and interior portions of any building or other structure used for children for instruction, educational or library services, routine health care, daycare or early childhood development services, as well as for administration, support services, maintenance or storage.
 - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
 - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
 - d. At a school sanctioned activity or event.
2. "Tobacco product" means:
 - a. Any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff and chewing tobacco; and
 - b. Any electronic or other device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo, pipe, hookah, vape pen or vape MODS (mechanical modified delivery systems), which produce vapor from an electronic cigarette or other similar device.
 - c. "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.
3. "Use" means lighting, chewing, smoking, ingesting or application of any tobacco product.

Signs will be posted in prominent places on all school property to notify the public that smoking or other use of tobacco products is prohibited in accordance with state law and district policy. This policy will be published in all employee and student handbooks, posted on bulletin boards and announced in staff meetings.

Any member of the general public considered by the executive director or designee to be in violation of this policy will be instructed to leave school district property. Staff found to be in violation of this policy will be subject to appropriate disciplinary action.

Disciplinary measures for students who violate this policy, including possession, may include suspension from school. In accordance with state law, no student will be expelled solely for tobacco use.

This policy replaces ASD20 Policy ADC.

Legal Refs:

20 U.S.C. 7181 *et seq.* (*Pro-Children Act of 2001 contained in No Child Left Behind Act of 2001 prohibits smoking in any indoor facility used to provide educational services to children*)

C.R.S. [18-13-121](#) (*furnishing tobacco products to minors*)

C.R.S. [22-32-109](#) (1)(bb) (*policy required prohibiting use of tobacco products on school grounds*) C.R.S. [22-32-109.1](#) (2)(a)(I)(H) (*policy required as part of safe schools plan*)

C.R.S. [25-14-103.5](#) (*tobacco use prohibited on school property*)

C.R.S. [25-14-301](#) (*Teen Tobacco Use Prevention Act*)

6 CCR [1010-6](#), Rule 5-306

CrossReferences:

ASD20 Policy KFA Public Conduct on District Property

NSCA Policy JICDA-NSCA Code of Conduct

Revision History

Date	Revision Details	Revised By
09/15/2018	Adoption	Board, Executive Director
08/03/2022	Reviewed	Board, Executive Director