RALEIGH COUNTY TOBACCO CONTROL POLICY

I. General.

1.1. Scope. This policy sets the requirement for schools in West Virginia to be tobacco free.


II. Purpose.

The purpose of this policy is to prohibit the use of tobacco products in school buildings and on school grounds by any person or community group using school property in order to improve the health of students and school personnel and by preventing students, school personnel and the community from being exposed to second hand smoke. The use of tobacco products has a direct linkage to numerous health problems. Students under the age of 21 may not possess any tobacco product at any time. In addition, school personnel shall provide a positive role model for students by refraining from the use of tobacco products, which have been proven to be hazardous to one’s health.

- Tobacco use is the single most preventable cause of death in the United States;
- Four out of five persons who use tobacco begin before they reach adulthood;
- One out of three students who use tobacco will die as adults as a result of using tobacco;
- Smokeless tobacco use is now linked to oral cancer and other mouth diseases;
- Second hand smoke is linked to cancer and cardiovascular diseases;

III. Definitions.

3.1 Tobacco and tobacco products. Cigarettes, pipes, cigars, other implements of any type of nature designed, used or employed for smoking tobacco or tobacco products and in chewing tobacco, rubbing snuff, or other smokeless tobacco products.

3.2 Student. Anyone who is enrolled in public school.

3.3 School. A school building, school ground, other school property including automobile or other vehicle owned or operated by a county board, the West Virginia Board of Education of educational purpose and/or activities.

3.4 School Personnel. Any person employed full/part time or on contract with any county board of education or State Department of Education.

3.5 Public. Any person accessing Board property or programs.

IV. Application.

4.1. This policy shall apply to any building or other property including automobiles or other vehicles owned or operated by the Raleigh County Board of Education (RCBOE). This policy shall apply to any private building or other property including automobiles or other vehicles used for school activities when students are present. This applies for all regular and extracurricular activities.

4.2. No person shall possess, distribute, or use any tobacco products at any time in any area defined in section 4.1 of this policy.
4.3. School personnel supervising students off the school grounds are prohibited from possessing, distribution and/or using any tobacco products while in the presence of students or any time while engaged in any activities directly involving students.

4.4. No board property as defined in Section 4.1 of this policy or school or board publications may be used for advertising any tobacco product.

4.5. Compliance is mandatory.

V. Implementation.

5.1. Administration. It is the school administration's responsibility to enforce this policy. Students, staff, parents, and the community shall be informed of this policy. Recommended methods may include policy inclusion in student handbooks, copies of policy reminders in school publications, and the local media (newspaper, radio). Signs related to the policy will be posted in or on all buildings owned or leased by the RCBOE.

A. It is the responsibility for each school to develop clear procedures for identification, intervention and referral of students with tobacco-related problems to the school counselor, school nurse, or other identified health professionals. These procedures shall be included in the student and employee handbooks.

B. It is the responsibility of each school to maintain an environment for students, staff and visitors that presents no unnecessary risk, physical harm, discomfort, or unsanitary condition resulting from tobacco product use.

5.2. Instruction. The Raleigh County Health Education and Comprehensive Drug Education Programs of Study include instructive objectives related to the hazards of tobacco use Pre-School - 12. These programs will include instruction about short- and long-term negative physiological and social consequences or tobacco use, peer norms regarding tobacco use, and refusal skills.

5.3. Staff Development. It shall be the practice of the RCBOE to provide appropriate staff development necessary to implement the requirements of this policy.

5.4. Policy Review. This policy shall be reviewed every two years.

VI. Enforcement.

Use, possession or distribution of tobacco products in any form is forbidden at all times on school property, including athletic facilities, school buses and Board vehicles. Any person in violation of W. Va. Code §16-9A-4 or this policy shall be subject to the following sanctions in accordance with "due process."

6.1. Student sanctions may include one or more of the following:

6.1.1. First violation of this policy will include the following:

   A. Contact parent or legal guardian by written notice.
   B. Notify law enforcement of this violation and a citation will be issued (fine).
   C. Referral of student to the guidance counselor.
   D. Mandatory completion of smoking Cessation Program N.O.T.

6.1.2. Second violation of this policy will include the following:
C. PERSONNEL

Policy C.1.5A
Cf. D.3.13

3

A. Contact parent or legal guardian by written notice.
B. Notify law enforcement of this violation and a citation will be issued (fine).
C. Mandatory completion of smoking Cessation Program.
D. Referral of student to the guidance counselor.

6.1.3. Third violation of this policy will include the following:
A. Contact parent or legal guardian by written notice.
B. Notify law enforcement of this violation and a citation will be issued (fine).
C. Referral of student to the guidance counselor.
D. Mandatory completion of smoking Cessation Program.

6.2. Employee sanctions may include one or more of the following:

6.2.1. First violation of this policy will include the following:
A. Conference with supervisor.
B. Referral to local authorities, subject to a fine.
C. Required to submit improvement plan.
D. Referral to Cessation Program at employee's expense.

6.2.2. Second violation of this policy will include the following:
A. Conference with supervisor.
B. Referral to local authorities, subject to a fine.
C. Required to submit improvement plan.
D. Written reprimand.
E. Mandatory participation in a Cessation Program at employee's expense.

6.2.3. Third violation of this policy will include the following:
A. Conference with supervisor.
B. Referral to local authorities, subject to a fine.
C. Referral to the RCBOE.
D. Suspension without pay (1-3 days according to which violation).
E. Mandatory participation in a Cessation Program at employee's expense.
F. Required to submit improvement plan.

6.3. Public sanctions will include the following:
A. Request that the person stop and refer to school policy.
B. Request that the person leave.
C. Referral to local authorities, subject to fine.
D. Individual prohibited from attending future school events.

6.4. These enforcement measures are aligned with:
A. West Virginia Board of Education Policy 4373: Expected Behavior in Safe and Supportive Schools
C. West Virginia Board of Education Policy 5310: Performance Evaluation of School Personnel
D. West Virginia Board of Education Policy 1461: Drug-Free Workplace
E. W. Va. Code 16-9A-4, Use of Tobacco, Tobacco Products, Alternative Nicotine Products or Vapor Products in Certain Areas of Public Schools Prohibited; Penalty.

VII. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.

Approved: September 12, 2006
Approved Revision: June 12, 2012
Approved Revision: January 9, 2018