

Policy #: 443.3
SCHOOL DISTRICT OF WEBSTER
Date Adopted: 1990/91
Date Revised: August 17, 2020
Policy Title: Tobacco Use by Students (See 831)

USE OF TOBACCO PRODUCTS

General Statement of Policy

Purpose

The Webster School District Board of Education recognizes that the use of tobacco products, including electronic smoking devices, is a health, safety and environmental hazard for students, staff, visitors and school facilities. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and non-users. The Board believes the use or promotion of tobacco products, including electronic smoking devices, on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff and visitors. The Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff and visitors. The Board embraces its obligation to promote positive role models in schools, and to provide an environment for learning and working that is safe, healthy and free from unwanted smoke and tobacco use for students, staff and visitors.

Policy

It shall be a violation of this policy for any student of the Webster School District to possess, consume, display, promote, or sell any tobacco products, tobacco-related devices, imitation tobacco products, or electronic smoking devices at any time on school property or at off-campus, school-sponsored events.

It shall be a violation of this policy for any staff, administrator, or visitor of the Webster School District to consume, display, promote, or sell any tobacco products, tobacco-related devices, imitation tobacco products, or electronic smoking devices at any time on school property or at off-campus, school-sponsored events.

It shall be a violation of this policy for the Webster School District to solicit or accept any contributions, gifts, money, curricula, or materials from the electronic smoking device industry, tobacco industry. This includes, but is not limited to, donations, monies for sponsorship, advertising, promotions, loans, or support for equipment, uniforms and sports and/or training facilities. It shall be a violation of this policy to participate in any type of service funded by any of the industries listed above. The Webster School District shall model tobacco-free school policy language adapted from the Public Health Law Center with reference to WI State Statute 120.12(20), tobacco-related device industry or from any tobacco products shop.

Student

It shall be a violation of this policy for any student of Webster School District to possess, 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.

Staff, Administrators and Visitors

It shall be a violation of this policy for any staff, administrator, or visitor of Webster School District to 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.

Definitions

The term “**tobacco product**” means any product containing, made, or derived from tobacco that are intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. Examples include but not limited to, cigarettes; cigars; little cigars; dry snuff, moist snuff/chewing tobacco; snus; dissolvables; hookah; and blunt wraps.

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The term “**electronic cigarette**” means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.

The term “**imitation tobacco product**” means any non-tobacco product designed to resemble a tobacco product including any edible or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include but are not limited to: candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, shredded beef jerky in containers resembling snuff tins, plastic cigars and puff cigarettes. Distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.

The term “**tobacco related devices**” means ashtrays, cigarette papers or pipes for smoking or any components, parts, or accessories of electronic cigarettes, including cartridges.

The term “**school property**” means all facilities and property, including land, whether owned, rented, or leased by Webster School District, and all vehicles owned, leased, rented, contracted for, or controlled by Webster School District for use in transporting students, staff, or visitors.

The term “**any time**” means during normal school and non-school hours: 24 hours a day, seven days a week, 365 days a year.

Enforcement

Student:

First violation shall result in any or all of the following: confiscation of tobacco products, notification to parents, meeting and assessment with substance abuse educator or designated staff, participation in tobacco education program, notification of local authorities and offering student information about available cessation programs including one day in school suspension and parental conference required before re-admittance.

Second violation shall result in confiscation of tobacco products, notification to parents and offering student information about available cessation programs, as well as any or all of the following: meeting and assessment with substance abuse educator, notification of local authorities, or designated staff with parents or mandatory participation in tobacco education program and three days in-school suspension and student and parent meet with committee made up of the principal, administrator and School Board Member.

Third violation shall result in confiscation of tobacco products, notification to parents and offering student information about available cessation programs, notification of local authorities as well as one or more of the following: meeting and assessment with substance abuse educator or designated staff, or community service and referral to School Board for expulsion.

Staff/Administrators:

First violation shall result in a verbal warning to the staff member, and an offer of a referral to cessation services.

Second violation shall result in a written warning to the staff member with a copy placed in his or her District personnel file, and an offer of referral to cessation services.

Third violation shall be considered insubordination and shall be dealt with accordingly based on established policies and procedures for suspension and/or termination of staff.

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Visitors:

Visitors who are observed violating this policy shall be asked to comply with Webster School District's tobacco-and nicotine-free policy. If the visitor fails to comply with the request, his or her violation of the policy may be referred to the building principal or other school district supervisory personnel available. The supervisor shall make a decision on further action that may include a directive to leave school property. Repeated violation may result in a recommendation to the superintendent to prohibit the individual from entering school district property for a specified period of time. If he or she refuses to leave, the police may be called.

Cross Reference: Student Handbook

Legal Reference: Wisconsin Statutes

- [Section 101.123](#) [smoking prohibited in enclosed places]
- [Section 120.12\(20\)](#) [school board duty to prohibit tobacco use on school premises]

Federal Laws

- [Pro-Children Act of 2001](#) [smoking prohibited in indoor facilities providing education services to children]