

**Ohio Department of Health  
Model Policy for Tobacco-Free Schools**

**I. Tobacco Use by Students**

**RATIONALE:**

**The Board of Education has a duty to protect and promote the health and well-being of all students and staff. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and non-users, and that most tobacco use begins by the age of 18. The Board recognizes that district personnel and school visitors serve as role models to students and, therefore, adopts this 100% Tobacco-Free School Policy to endorse a healthy lifestyle and prevent tobacco use.**

**DEFINITION:**

For the purpose of this policy, “tobacco product” is defined to include any product that contains tobacco, is derived from tobacco, or contains nicotine, which is intended for human consumption, or is likely to be consumed, whether smoked, heated, vaporized, chewed, absorbed, dissolved, or ingested by any other means. The term “tobacco products” includes e-cigarettes, electronic nicotine delivery systems (ENDS), and other electronic smoking devices (**including JUUL’s, myBlu, Mojo, etc.**), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce and eliminate nicotine or tobacco dependence.

**TOBACCO USE PROHIBITED:**

No student is permitted to use tobacco products (including e-cigarettes) at any time, including non-school hours, on all school grounds including in any building or facility, athletic grounds, parking lots or vehicle owned, leased, rented or chartered by \_\_\_\_\_ School District.

In addition, no student is permitted to use tobacco products (including e-cigarettes) at any school-sponsored event, whether such event occurs on-campus or off-campus.

Finally, no student is permitted to possess tobacco products (including e-cigarettes), papers used to roll cigarettes, lighters, or other paraphernalia at any time.

**TOBACCO PROMOTION PROHIBITED:**

Tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events. Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

**PROVIDING NOTICE:**

“No Tobacco” signs will be posted throughout the district at entrances and other appropriate locations on all academic buildings, administrative spaces, school grounds, and athletic fields. Students will be provided notice of this policy through student handbooks and district personnel will be provided notice of this policy through personnel handbooks. District vehicles will display the international “No Smoking” insignia. Announcements will be made during home athletic events both before the event

and during intermission, as well as at all school functions where deemed appropriate. School programs will include a written reminder of the tobacco-free policy.

#### ENFORCEMENT:

Explicit enforcement actions should be outlined in the written tobacco-policy. It is imperative that a 100% Tobacco-Free Schools policy be enforced, for both students and staff, through tiered disciplinary measures ranging from verbal and written warnings to more severe consequences.

*Examples of enforcement procedures used as an alternative to suspension and expulsion:*

1. *The first violation shall result in confiscation of tobacco products, notification of parents and/or guardians, and at least one the following:*
  - a. *A student meeting and individual student assessment with a chemical health educator or designated staff to discuss commercial tobacco use and school policy.*
  - b. *Student participation in tobacco education program.*
  - c. *Offering student information about available cessation programs and resources.*
2. *The second violation shall result in confiscation of tobacco products, notification of parents and/or guardians, and offering the student information about available cessation programs, as well as at least one of the following:*
  - a. *A student meeting and individual student assessment with a chemical health educator or designated staff with parents and/or guardians to discuss commercial tobacco use and school policy.*
  - b. *Student participation in a tobacco education program.*
3. *The third and any subsequent violation shall result in confiscation of tobacco products, notification of parents and/or guardians, offering student information about available cessation programs, and student participation in a tobacco education program as well as at least one of the following:*
  - a. *A student meeting and individual student assessment with a chemical health educator or designated staff with parents and/or guardians to discuss commercial tobacco use and school policy.*
  - b. *Educational community service.*

#### EDUCATIONAL REINFORCEMENT:

Tobacco-use prevention education should be closely coordinated with the other components of the school health program. Staff responsible for teaching tobacco-use prevention education should have adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities should provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with skill practice in effective instructional techniques and strategies and program-specific activities.

## II. Tobacco Use by Staff Members

### RATIONALE:

The Board of Education has a duty to protect and promote the health and well-being of all students and staff. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and non-users, and that most tobacco use begins by the age of 18. The Board recognizes that district personnel and school visitors serve as role models to students and, therefore, adopts this 100% Tobacco-Free School Policy to endorse a healthy lifestyle and prevent tobacco use.

### DEFINITION:

For the purpose of this policy, “tobacco product” is defined to include any product that contains tobacco, is derived from tobacco, or contains nicotine, which is intended for human consumption, or is likely to be consumed, whether smoked, heated, vaporized, chewed, absorbed, dissolved, or ingested by any other means. The term “tobacco products” includes e-cigarettes, electronic nicotine delivery systems (ENDS), and other electronic smoking devices (**including JUUL’s, myBlu, Mojo, etc.**), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce and eliminate nicotine or tobacco dependence.

### TOBACCO USE PROHIBITED:

No faculty or staff member is permitted to use tobacco products (including e-cigarettes) at any time, including non-school hours, on all school grounds including in any building or facility, athletic grounds, parking lots or vehicle owned, leased, rented or chartered by \_\_\_\_\_ School District. Prohibition of all tobacco products also extends to any previously designated times and areas as defined in statute and by Ohio’s Smoke-Free Workplace Program.

In addition, no staff member or volunteer is permitted to use tobacco products (including e-cigarettes) at any school-sponsored event, whether such event occurs on-campus or off-campus.

### TOBACCO PROMOTION PROHIBITED:

Tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events. Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

### PROVIDING NOTICE:

“No Tobacco” signs will be posted throughout the district at entrances and other appropriate locations on all academic buildings, administrative spaces, school grounds, and athletic fields. Students will be provided notice of this policy through student handbooks and district personnel will be provided notice of this policy through personnel handbooks. District vehicles will display the international “No Smoking” insignia. Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate. School programs will include a written reminder of the tobacco-free policy.

#### ENFORCEMENT:

Explicit enforcement actions should be outlined in the written tobacco-policy. It is imperative that a 100% Tobacco-Free Schools policy be enforced, for both students and staff, through tiered disciplinary measures ranging from verbal and written warnings to more severe consequences.

#### EDUCATIONAL REINFORCEMENT:

Tobacco-use prevention education should be closely coordinated with the other components of the school health program. Staff responsible for teaching tobacco-use prevention education should have adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities should provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with skill practice in effective instructional techniques and strategies and program-specific activities.

### III. Tobacco Use on School Property

#### RATIONALE:

**The Board of Education has a duty to protect and promote the health and well-being of all students and staff. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and non-users, and that most tobacco use begins by the age of 18. The Board recognizes that district personnel and school visitors serve as role models to students and, therefore, adopts this 100% Tobacco-Free School Policy to endorse a healthy lifestyle and prevent tobacco use.**

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#### TOBACCO USE PROHIBITED:

No visitor or volunteer is permitted to use tobacco products (including e-cigarettes) at any time, including non-school hours, on all school grounds including in any building or facility, athletic grounds, parking lots or vehicle owned, leased, rented or chartered by \_\_\_\_\_ School District.

In addition, visitors are encouraged to refrain from using tobacco products at school-related events off-campus.

#### TOBACCO PROMOTION PROHIBITED:

Tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events. Tobacco promotional items that promote the use of tobacco products,

including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

#### PROVIDING NOTICE:

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#### ENFORCEMENT:

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#### EDUCATIONAL REINFORCEMENT:

Tobacco-use prevention education should be closely coordinated with the other components of the school health program. Staff responsible for teaching tobacco-use prevention education should have adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities should provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with skill practice in effective instructional techniques and strategies and program-specific activities.

#### **IV. Resources & References:**

##### TOBACCO EDUCATION PROGRAM RESOURCES:

For educational materials and local tobacco cessation programs, visit [www.odh.ohio.gov/tobacco](http://www.odh.ohio.gov/tobacco)

##### LEGAL REFERENCES:

Pro-Children Act of 1994, 20 U.S.C. § 6081 et seq (1994).

OHIO REV. CODE ANN. §§ 3313.20, 3313.47, 3313.751, 3791.031 (LEXIS 2005).

*This model policy and information is provided by the Ohio Department of Health Tobacco Program for educational purposes only and is not to be construed as a legal opinion or as substitute for obtaining legal advice from an attorney. The Tobacco Program provides legal information and education about tobacco and health, but does not provide legal representation. Readers with questions about the application of the law to specific facts are encouraged to consult legal counsel familiar with the laws of their jurisdictions.*

*\*Note: Adoption of the Ohio School Board Association’s (OSBA) tobacco free policy is in alignment with ODH’s policy and would receive a score of 100%.*