

## **Tobacco-Free Schools**

In accordance with Colorado statute and to promote the general health, welfare and well-being of students and staff, smoking, chewing, vaping, or any other use of any tobacco products by staff, students and members of the public is banned from all school property.

Possession of any tobacco or nicotine/non-nicotine product by students is also prohibited on charter school property.

For purposes of this policy, the following definitions apply:

1. "School Property" means all property owned, leased, rented or otherwise used by a school including but not limited to the following:
  - a. All interior facilities and interior portions of any building or other structure used for children under the age of 18 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 charter school 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/non-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, chewing tobacco, or marijuana products.
  - b. Any electronic device that can be used to deliver nicotine/non-nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo, pipe or marijuana products..
  - 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, inhaling or smoking 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 charter school 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 in violation of this policy will be instructed to leave school property. Employees found to be in violation of this policy will be subject to appropriate disciplinary action.

Disciplinary measures for students who violate this policy will include suspension, revocation of privileges and exclusion from extracurricular activities. In accordance with state law, no student will be expelled solely for tobacco use.

LEGAL REFS: 20 U.S.C. 7971 *et. seq.* (*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*)

CROSS REFS: KFA, Public Conduct on Charter School Property

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Lake George Charter School