

EXHIBIT A

TOBACCO-FREE SCHOOL POLICY

Article I.

Section 1. Rationale

The Board 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 School personnel and 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.

Section 2. 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.

Section 3. Tobacco Use Prohibited

Tobacco use is prohibited at all times on all school grounds or other property or vehicles owned, leased, or operated by the School and on any private property or vehicles used for school activities or brought onto school grounds; this is applicable to students, staff, and visitors.

No student is permitted to use tobacco products at any time, including non-school hours, on any school grounds including, but not limited to, in any building or facility, athletic grounds, parking lots or vehicle owned, leased, rented or chartered by the School. In addition, no student is permitted to use tobacco products at any school-sponsored event, whether such event occurs on-campus or off-campus. No student is permitted to possess tobacco products, papers used to roll cigarettes, lighters, or other paraphernalia at any time.

School staff are expected to set a positive example to students by not using or distributing tobacco products or paraphernalia.

Section 4. 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.

Section 5. Providing Notice

“No Tobacco” or similar signs will be posted throughout the school at entrances and other appropriate locations on all academic buildings, administrative spaces, school grounds, and athletic fields. This policy shall be posted in the school office and on the School website. Students will be provided notice of this policy through student handbooks and school personnel will be provided notice of this policy through personnel handbooks. School 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.

Section 6. Enforcement

Enforcement policies will be consistent with the Student Code of Conduct and shall include informative measures to provide the student with the dangers and risks of tobacco-use. Failure of the student to comply with discipline meted out for a violation of this policy may result in further discipline, up to and including suspension. Students who violate this policy may be reported to law enforcement pursuant to W. Va. Code 16-9A-3 and 16-9A-3.

Staff members (including employees of the Educational Service Provider (ESP)) who violate this policy will be reported to law enforcement pursuant to W. Va. Code 16-9A-4. Discipline will be consistent with the ESP’s Employee handbook.

Visitors failing to comply with this policy will be asked by school staff to cease their use of tobacco products or immediately leave the school grounds. Repeat offenses will result in the visitor being banned from school grounds for a period up to one year. Notice of the ban shall be delivered to the visitor by the principal via certified letter and email. A copy of the letter will be sent to local law enforcement. Failure to abide by the notice will result in a complaint being filed with local law enforcement.

Section 7. 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 should have adequate pre-service training and participate in ongoing professional development activities to effectively deliver educational 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.

Section 8. Tobacco Education Program Resources

To search for educational materials and local tobacco cessation programs, visit <https://dhhr.wv.gov/wvntp/quitline/Pages/default.aspx>

Legal References

Pro-Children Act of 1994, 20 U.S.C. § 6081 et seq (1994).
W. Va. Code 16-9A
See, also, 126CSR66