

BOARD OF EDUCATION
POLICY 9240
STUDENT USE AND POSSESSION
OF TOBACCO PRODUCTS

Effective: October 23, 1997

Policy Statement

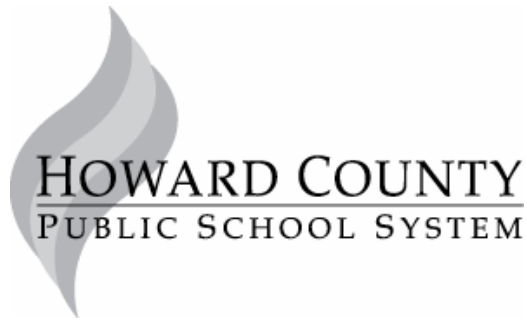
Recognizing the serious health problems associated with smoking and the use of smokeless tobacco, the Board of Education of Howard County affirms that its primary function with regard to health and social customs is educational and a supplement to parental teaching. To this end, the Howard County Public School System will provide for health education programs which include the most recent research findings on the harmful effects of tobacco use on the human organism. These programs should help students understand and avoid the dangers of smoking and the use of smokeless tobacco. Thus, the key element of these health programs should involve the education of students to the dangers of smoking and the use of smokeless tobacco so that they can make informed choices.

The use and/or possession of any tobacco product or cigarette rolling papers by elementary, middle, and high school students is prohibited in school buildings and on school grounds. Cases of student violation of this prohibition will be identified and reported in accordance with guidelines developed and distributed by the Superintendent. Disciplinary action for such student violation will also be administered in accordance with the guidelines developed and distributed by the Superintendent.

Legal References: COMAR 13A.02.04
 *Article 27 - Crimes and Punishments--Section 404 and 405A
 Article - Courts and Judicial Proceeding and -- Section 3-801 (a) and (g)
 and 3-810 (a) and 810 (l,m,n) and 3-835 (a)

* Article 27 - Crimes and Punishments - Section 405A states: *A minor may not use or, unless acting as the agent of the minor's employer within the scope of employment, possess any tobacco product or cigarette rolling papers.*

Original Approval: June 1, 1971
Revised: February 22, 1990
 January 26, 1995
 February 1, 1995
 October 15, 1996
 October 23, 1997



POLICY 9240-R
REGULATIONS
STUDENT USE AND POSSESSION
OF TOBACCO PRODUCTS

Effective: January 26, 1998

I. Definitions

In these regulations and procedure, the following definitions shall apply:

- A. "Smoking" shall mean the act of inhaling or exhaling the fumes of tobacco or something like tobacco. It does not mean the incidental inhaling or exhaling of tobacco products or similar substances. In addition, a person found to be holding a lighted cigarette, cigar, pipe, or the like will be considered to be smoking.
- B. "Use of smokeless tobacco" shall mean the act of placing or having placed a tobacco product such as snuff, chewing tobacco, and the like in the mouth or nose.
- C. "School building" shall mean any facility which is owned or leased by the Howard County Public School System.
- D. "School grounds" shall mean any property owned or leased by the Howard County Public School System. The concept of grounds shall extend to school activities such as field trips, use of parks and recreation facilities, proms at hotels, etc. This means that when a facility is scheduled for student use, it will be considered an extension of school grounds.
- E. "Possession" - as defined exclusively from use, shall mean the presence of tobacco products or cigarette rolling papers on the person of a student, however small the amount, in or on any item or belonging under the control of the student or owned by the student, when such presence of the tobacco product or cigarette rolling papers is observed or discovered or has occurred in any setting in which students are responsible to school authority and/or supervision.
- F. "Saturday School" shall mean a special class held on Saturdays for students receiving disciplinary actions for violating Howard County policies of which the Student Use and Possession of Tobacco Products Policy is one.
- G. "Tobacco Management Class" shall mean a class scheduled periodically during the month for first time offenders of the Student Use and Possession of Tobacco Products Policy. This class will be scheduled at a Saturday School.
- H. "Tobacco Management Program" shall mean a series of smoking classes

presented for the second and all subsequent offenses of the Student Use and Possession of Tobacco Products Policy.

II. Regulations

- A. The use and/or possession of any tobacco product or cigarette rolling papers by elementary, middle, and high school students is prohibited in school buildings and on school grounds. Cases of student violation of this prohibition will be identified, reported, and actions taken in accordance with guidelines developed and distributed by the Superintendent.
- B. The Superintendent will offer programs to help all students avoid the use of tobacco products. To assist in meeting this objective, a unit on the dangers of smoking and the use of smokeless tobacco will be required in all ninth grade health programs. In addition, students who violate this prohibition will be required to complete a tobacco management class/program.
- C. Building interiors must be prominently posted with "Use and Possession of Tobacco Products Prohibited" signs.

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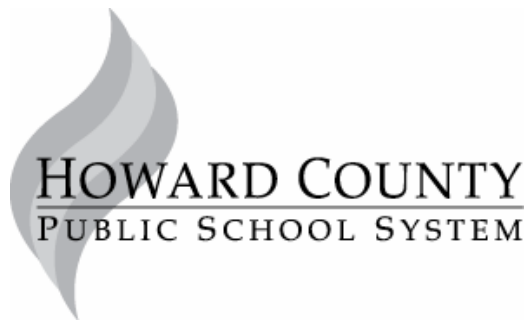
Revised: February 22, 1990

January 26, 1995

February 1, 1995

October 23, 1997

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POLICY 9240-PR
IMPLEMENTATION PROCEDURES
STUDENT USE AND POSSESSION OF
TOBACCO PRODUCTS

Effective: January 26, 1998

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- I. A unit on the dangers of smoking and the use of smokeless tobacco will be required in all ninth grade health programs. In addition, completion of a tobacco management class/program will be required of students who violate the school system's Student Use and Possession of Tobacco Products Policy.
 - II. The use and/or possession of any tobacco product or cigarette rolling papers are prohibited in all school buildings and on all school grounds.
 - III. Building interiors must be prominently posted with "Use and Possession of Tobacco Products Prohibited" signs.
 - IV. Coordination with local law enforcement - The Howard County Department of Education will notify local law enforcement officials of its Student Use and Possession of Tobacco Products Policy and the standard operating procedure regarding the reporting of activity related to the use and/or possession of any tobacco product or cigarette rolling papers with respect to the operating procedures, at the occurrence of the third offense, the principal/designee will notify the Howard County Police Department of the student's violation of the Howard County Public School's Student Use and Possession of Tobacco Products Policy.
 - V. For violating this policy, high school and middle school students will be sanctioned as follows:
 - A. For a **FIRST OFFENSE**, a conference will be held by a school administrator with the student, parent(s)/guardian(s). If the parent(s)/guardian(s) or student is unable to attend the conference within three (3) school days after the notice of violation, the student will be suspended pending such a conference. (The purpose of this conference is to counsel students on the harmful effects of the use of tobacco products, and to discuss the implications of further infractions of the policy.)

In addition, the parent(s)guardian(s) will be notified that the student will be assigned to Saturday School for the purpose of attending the Tobacco Management Class. Failure of the student to attend the Tobacco Management Class will result in the suspension of the student for a period of five school days.

- B. For a SECOND OFFENSE, a conference will be held by a school administrator with the student, parent(s)/guardian(s). If the parent(s)/guardian(s) or student is unable to attend the conference within three (3) school days after the notice of violation, the student will be suspended pending such a conference. (The purpose of this conference is to counsel students on the harmful effects of the use of tobacco products, and to discuss the implications of further infractions of the policy.)

In addition, the parent(s)/guardian(s) will be notified that the student will be suspended from school for a period of up to ten (10) school days and will be required to complete a Tobacco Management Program.

- C. For a THIRD OFFENSE, a conference will be held by a school administrator with the student and the parent(s)/guardian(s). If the parent(s)/guardian(s) or student is unable to attend the conference within three (3) school days after the notice of violation, the student will be suspended pending such a conference. (The purpose of this conference is to counsel students on the harmful effects of the use of tobacco products, and to discuss the implications of further infractions of the policy.)

In addition, the parent(s)/guardian(s) will be notified that the student will be suspended to the Superintendent with a recommendation for suspension of up to thirty (30) school days and will be required to complete a Tobacco Management Program.

At anytime after a third offense, a student who continues to violate this policy may be expelled from school. The administrator will assess the situation of a repeat offender and may suspend or recommend expulsion in accordance with established policies and procedures.

- VI. The faculty, staff, and students of all schools are expected to support the successful implementation of the Student Use and Possession of Tobacco Products Policy.
- VII. The principal is directed to inform all students, parent(s)/guardian(s), and staff of the Student Use and Possession of Tobacco Products Policy at the beginning of each school year, upon enrollment of a new student, and when deemed necessary by the principal.

Administrative Approval: June 1, 1971
Revised: February 22, 1990
January 26, 1995 (effective February 1, 1995)
July 27, 1995 (effective July 28, 1995)
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