

### **443.3 SMOKING AND/OR USE OF TOBACCO/NICOTINE PRODUCTS OR ELECTRONIC SMOKING DEVICES BY STUDENTS**

The Board of Education recognizes that the use of commercial tobacco products, including electronic smoking devices, is a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board believes that the use or promotion of commercial 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. Furthermore, the Board believes that 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 commercial tobacco use for students, and visitors.

It shall be a violation of this policy for any student to possess, use, 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. The term “off-campus, school sponsored event” means any event sponsored by the school or school district that is not on school property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances, or theatrical productions. “School property” means all facilities and property, including land, whether owned, rented, or leased by the District, and all vehicles owned, leased, rented, contracted for, or controlled by the District used for transporting students, staff, and visitors.

The term “electronic smoking device” means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, JUUL, or under any other product name or descriptor. The term electronic smoking device includes any component of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

Students in violation of this policy will be held to the Student Code of Conduct and/or expectations as outlined in Student Handbooks.

Students in violation of this policy who are participating in WIAA activities will be subject to disciplinary measures as per WIAA guidelines.

Violations shall be processed in accordance with State Statutes and established procedures at each building level.

#### **Exceptions**

It shall not be a violation of this policy for a person to possess or provide tobacco or tobacco-related devices to any other person as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice. It shall not be a violation of this policy for use of tobacco or tobacco-related devices as part of an educational experience related to indigenous tobacco practices that has been approved by school administrators.

It shall not be a violation of this policy for tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in instructional or work-related activities in District buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product.

FDA approved cessation products or tobacco dependence products are exempt from this policy for adults and staff eighteen years and older.

LEGAL REF.: Sections 101.123 Wisconsin Statutes  
120.12(20)  
120.44

CROSS REF.: 443 – Student Conduct  
443 Rule – Code of Classroom Conduct  
522.2 – Smoking and/or Use of Tobacco/Nicotine Products or Electronic Smoking Devices by Staff  
831 – Smoking and/or Use of Tobacco/Nicotine Products or Electronic Smoking Devices on  
School Premises

APPROVED: November 13, 1989

REVISED: June 17, 2002  
May 12, 2014  
November 11, 2019