

## SMOKING, VAPING, and OTHER USE OF NICOTINE POLICY

### PURPOSE

Tobacco use is the leading cause of preventable death in the United States. 95% of smokers start before the age of 21 and the vast majority of daily smokers begin smoking before the age of 18. The use of tobacco/nicotine products on school grounds, in school buildings and facilities, on school property or at school-related activities or school-sponsored events, including but not limited to athletic events is detrimental to the health and safety of students, staff and visitors.

In the State of Rhode Island, the smoke-free schools' law now bans all Electronic Nicotine Delivery Systems (ENDS) from schools and related properties, along with other tobacco/nicotine products. ENDS tobacco/nicotine products, also known as e-cigarettes, vapes, vaping devices, the brand name JUUL, Sourin, PHIX, Blu, etc. can neither be possessed nor used in these settings, according to the new law that went into effect on January 1, 2018. This law includes all RI public, private & charter elementary & secondary schools and includes surrounding school-owned properties.

State law mandates that students, parents, contractors, faculty, staff, administration, and all other visitors are to be smoke-free and tobacco/nicotine-free on and around school grounds including places rented by a school or visited during a school function.

Based on the theory of substance use disorders, it is understood that if students' are physically and/or psychologically addicted to nicotine, it will be very difficult for them to abstain from using the substance for a 6.5 hour school day. The consequence of suspension from school does nothing to address the addictive properties and most likely gives them more opportunity to smoke while at home. It does, however, prevent the other students from being exposed to the secondhand smoke that these students create.

### DEFINITIONS

**Smoking** - "Smoking" or "smoke", the inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, or other tobacco/nicotine product or plant product intended for inhalation in any manner or any form. "Smoking" or "smoke" also includes the use of electronic cigarettes, electronic cigars, electronic pipes, or other similar products that rely on vaporization or aerosolization.

**Tobacco paraphernalia** - Any device used to aid, ingest, light, burn, or consume any tobacco/nicotine product as defined herein, including but not limited to pipes, rolling papers, matches, or any component or part of a tobacco/nicotine product.

**Tobacco product** - (1) Any product containing, made, or derived from tobacco/nicotine or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco/nicotine, pipe tobacco/nicotine, and snuff; and (2) any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah. Notwithstanding any provision of clauses (1) and (2) in this definition to the contrary, tobacco/nicotine product includes any component, part, or accessory of a tobacco/nicotine product, whether or not sold separately; tobacco/nicotine product does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco/nicotine cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

## **POLICY**

**Use of tobacco/nicotine/nicotine product** - No person(s) shall, at any time, **use** a tobacco/nicotine/nicotine product in any school building, on any school grounds, at any athletic event or any school-sponsored event, or in any school bus or other vehicle used for school purposes. Pursuant to Rhode Island General Law Chapter 23-20.9-5.

**Possession of tobacco/nicotine/nicotine product** - No student shall at any time **possess** any tobacco/nicotine product or tobacco/nicotine paraphernalia in any school building, on any school grounds, at any athletic event or any school-sponsored event or in any school bus or other vehicle used for school purposes.

**Confiscation** - When there is evidence that a student is in possession of tobacco/nicotine products or tobacco/nicotine paraphernalia, administrators or other designated staff may confiscate such items.

**Fair and equitable implementation** - This policy and penalties for violations of the policy will be carried out fairly and equitably. Schools will maintain demographic records on students penalized under the policy and conduct a periodic review to look for inconsistencies in the types of students being caught and penalized as well as the severity of the punishment. Penalties shall be applied universally regardless of a student's sex, sexual identity, race, age, ethnicity, primary language, academic standing, immigration status, employment status, family income, zip code, physical abilities, or participation in student athletics, the arts, student government, etc.

## **INTERVENTIONS OR CONSEQUENCES**

**POSSESSION:** Students who possess nicotine products or electronic cigarettes, or other devices that allow the inhalation of nicotine products or other substances shall have them confiscated, receive two detentions, and have their parents notified on the first offense. On the second and subsequent offenses, students shall be subject to the disciplinary action sequence established for use of products and vape devices outlined below. If it is determined that the vape device includes a substance other than nicotine the student may be subject to the BPS substance use policy.

Note: Student-athletes are subject to the requirements and consequences outlined by the Rhode Island Interscholastic League.

### **DISCIPLINARY ACTION SEQUENCE FOR USE OF PRODUCTS AND VAPE DEVICES**

**First Offense:** Parent notification, referral to Student Assistance Counselor, 2 detentions or similar where students will complete an online course selected by the BPS Student Assistance Counselor such as “Taking Down Tobacco 101.” Certificate of completion will be given to the Student Assistance Counselor and forwarded to the Assistant Principal. If the student refuses to complete this program, a meeting with the parent or guardian will be held.

**Second Offense:** Parent notification, referral to Student Assistance Counselor, 4 school detentions or similar where students will complete the “Intervention for Nicotine Dependence: Education, Prevention, Tobacco and Health (INDEPTH)” course or similar. Certificate of completion will be given to the Student Assistance Counselor and forwarded to the Assistant Principal. If the student refuses to complete, a meeting with the parent or guardian will be held.

**Third Offense:** 6 school sessions with the Student Assistance Counselor regarding cessation and education, mandatory meeting with parent or guardian, student, Assistant Principal. Referral for participation in a complete smoking cessation program. If a student refuses the cessation program, they will engage in a 1-day in-school suspension and will engage in regular meetings with support from the Student Assistance Counselor.

**Subsequent Offenses:** In-school suspension for two full school days with required meeting with the assistance counselor to engage in cessation counseling and education; referral to Superintendent for possible further disciplinary action; continued sessions with Student Assistance Counselor, parent notification, referral for participation in a smoking cessation program.

Pursuant to Rhode Island General Law Chapter 23-20.9-5

First Read: May 6, 2021

Second Read/Adopted: