

**TOBACCO, SMOKING, & INHALANT USE ON SCHOOL DISTRICT PROPERTY
POLICY**

The Board has declared Mountain Home School District No. 193 Tobacco Free in all school buildings and educational facilities, and the area within twenty (20) feet of entrances and exits of such buildings or facilities, on all premises including property being utilized for district-sponsored activities regardless of location, and transportation that is owned, leased, sponsored, or contracted by the district is prohibited at all times and are included in the definition of “public place” in the Idaho Clean Indoor Air Act. Therefore, no person shall smoke or use any tobacco, tobacco type product, and other non-medical inhalant products (i.e. E-cigarettes, vaping devices, and their liquids) and any look alike product of both in such areas, buildings, or facilities.

MHSD Board of Trustees decrees that the use of any tobacco, tobacco products, tobacco paraphernalia, tobacco look-alike devices (i.e. E-cigarettes & Vaping paraphernalia/devices, etc.), and liquid vaping materials is prohibited at all times on all school district premises including, but not limited to, all buildings, facilities, and properties being utilized for district-sponsored activities regardless of location, and transportation that is owned, leased, sponsored, or contracted by the district.

- This does not include inhalants used to address respiratory conditions such as asthma, bronchitis, etc.; a medication prescription is required, and the Prescription Mediation Form signed and submitted to the front office of the school.

MHSD Board of Trustees authorizes the superintendent and designees to render the appropriate discipline to anyone violating this policy including, but not limited to, student suspension, seizure of the paraphernalia, reporting the violations to law enforcement, serving no trespassing orders, etc.

PURPOSE:

The Board of Trustees recognizes the importance of all employees and students to the educational system. To that end, the health, safety, and well-being of all employees and students are major considerations of the Board. The Board is committed to providing a tobacco, vapor, and smoke free environment for the employees, students, and visitors.

DEFINITIONS

Cessation: A temporary or final ceasing of the use of tobacco.

School District Property: Any ground, premises, facilities, vehicle (owned, leased, sponsored, or contracted), owned, maintained, leased, or operated by School District #193.

Tobacco (Smoking and Smokeless) Product: is defined to include cigarettes, cigars, pipes and any other smoking product; dip, chew, snuff, and any other smokeless tobacco product; and nicotine delivery devices, such as electronic cigarettes (used with or without nicotine). FDA-approved nicotine replacement therapy products used for tobacco cessation are excluded from this definition.

Smoking Tobacco: is defined as inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, weed, plant, or other combustible substance in any manner or in any form.

Smokeless Tobacco: is defined as any non-combustible, nicotine containing and non-nicotine look-alike devices, substances such as dipping and chewing tobacco products, E-cigarettes, vaping devices, and vaping liquids.

Electronic Cigarette: is defined as any device that is capable of providing an inhaled dose of nicotine or other products by delivering a vaporized solution; including the components of an electronic cigarette or vaping mechanism.

VIOLATIONS

Students in violation of this policy will immediately be reported to the building administrator and will be referred to Law Enforcement for disciplinary action in accordance with state and city code and building discipline procedures.

Any violation of this prohibition by employees will be immediately reported to the building administrator and may result in disciplinary actions up to and including dismissal or termination for repeated offenses.

Any person in apparent violation of this policy will be asked to extinguish and/or dispose of the prohibited tobacco product. If the person persists, the designee will require the person to leave the premises. Violations may also be reported to law enforcement.

A Tobacco Cessation Program will be available upon request for the rehabilitation and counseling of employees and students.

NOTICE

Signs shall be posted on all school district property indicating that the use of tobacco products on district premises is prohibited. Each sign will be conspicuous, legible, unobscured, and placed at a height and location easily seen and read by persons entering or within the posted area. Letters on the sign will be at least one (1) inch in height.



Legal Reference:

Idaho Code Sections:

20-516 – Apprehension & Release of Juveniles – Detention

33-512 – Governance of Schools

39-5501, *et seq.* – Idaho Clean Indoor Air Act
39-5502, *et seq.* – Idaho Clean Indoor Air Definitions
39-5507, *et seq.* – Violations
39-5701, *et seq.* – Prevention of Minors’ Access to Tobacco
IDAPA 16.02.23 – Rules Governing Indoor Smoking
MSBT Policy 551

ADOPTED: July 16, 1992
Revised: January 25, 2005
Revised: April 16, 2019

Reviewed: October 19, 2010 Revised: February 18, 2014
Revised: May 17, 2022 (Originally part of School District Safety & Discipline Policy)