

SMOKING AND TOBACCO PRODUCTS (Policy 531)

The Buncombe County Board of Education recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, employees and visitors. The Board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, staff and visitors. The Board acknowledges that adult employees and visitors serve as role models for students. The Board recognizes that it has an obligation to promote positive role models in schools and promote a healthy learning and working environment, free from unwanted smoke and tobacco use for the students, employees, and visitors on the school campus. Finally, the Board recognizes that it has a legal authority and obligation pursuant to G.S. 115C-47 (#18) *Policy Prohibiting Tobacco Use in School Buildings* as well as the federal *Pro-Children's Act, Title X of Public Law 103-227* and the *No Child Left Behind Act*.

The use of tobacco products on or in any school property, or at any school sponsored activity or event (regardless of location) is prohibited.

The policy will be enforced as follows:

- 1. Enforcement for Students**
Consequences for students engaging in the prohibited behavior will be provided in accordance with the school's student behavior management plan. Students who violate the school district's tobacco use policy may also be referred to the guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling and referral.
- 2. Enforcement for Employees**
Consequences for employees who violate the tobacco use policy will be in accordance with administrative regulations to be developed by the Superintendent.
- 3. Enforcement for Visitors**
Visitors using tobacco products will be asked to refrain while on school property or leave the premises. If they refuse, law enforcement officers will be contacted to escort the person off the premises or cite the person for trespassing in case the person refuses to leave the school property.

This policy will become effective December 1, 2004.

ADDITIONS TO THE CURRENT SCHOOL RULES AND REGULATIONS

The purpose of the following is to assure that students needing alcohol or drug treatment, education, or counseling will receive the help they need through the schools, services contracted through the local mental health agency*, or private counseling* and has been added to the current school rules and regulations.

The first violation of the alcohol and drug policy by a student will result in the student being:

Suspended for up to ten days. It may be recommended that the student receive a drug assessment and counseling services contracted through the local mental health agency* or from a private agency*. It may be recommended that upon return to school, the student participate in an in-school Insight Group facilitated by a school counselor or a member of the Safe and Drug Free School Staff. The student may be recommended to the Discipline Hearing Board as described in Board Policy #460, Serious Misconduct.

The second violation of this policy by a student will result in the student being: Recommended to the Discipline Hearing Board as described in Board Policy #460, Serious Misconduct.

DRUG-FREE WORKPLACE (Policy #740)

It is the policy of the Buncombe County Board of Education that a drug-free workplace shall be maintained. The Board prohibits the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on any property owned by the Board and at anytime in which an individual employee is acting in the course and scope of his employment with the Board. Violation of this policy may subject an individual to disciplinary action by the Board which could result in termination of employment with the Buncombe County Public Schools, and in accordance with G.S. 115-325 (e) (1) (f). Alternatively, the Board may require the employee to participate successfully in a drug abuse assistance or rehabilitation program.

Employees of the Buncombe County Schools must abide by the prohibition as stated above. The employee is further mandated to notify the Buncombe County Board of Education of any criminal drug statute conviction in the workplace no later than five (5) calendar days after such conviction. The Buncombe County Board of Education, as a recipient of Federal grant monies, is required to report in writing to the Federal Organization (grantors) within ten (10) calendar days any such drug convictions and is required, within 30 days of receiving notice of a conviction, to take appropriate personnel action or refer the employee to a drug assistance or rehabilitation program.

The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

This policy will be given to each employee and a signed copy will be maintained in the employee's personnel record.

***Buncombe County Schools is not responsible for payment of any assessment or counseling services.**

Student Signature

Parent Signature