
AURORA PUBLIC SCHOOLS
Adopted September 1994
Revised November 2007
Revised December 2008
Revised January 2015
Reviewed February 2016
Reviewed June 2017

APS Code: ADC

TOBACCO-FREE SCHOOLS

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In accordance with Colorado statute and to promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco product by staff, students and members of the public is prohibited on all school property.

Possession of any tobacco product by students is also prohibited on school property.

For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:
 - a. All indoor facilities and interior portions of any building or other structure used for children under the age of 18 for instruction, educational or library services, routine health care, daycare or early childhood development services, as well as for administration, support services, maintenance or storage. The term does not apply to buildings used primarily as residences, i.e., teacherages.
 - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
 - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
 - d. At a school sanctioned activity or event.
2. "Tobacco product" means:
 - a. Any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff and chewing tobacco; and
 - b. Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.

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c. "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.

3. "Use" means lighting, chewing, smoking, ingesting or application of any tobacco product.

Signs will be posted to notify the public that smoking or other use of tobacco products is prohibited in accordance with state law and district policy.

Notice of this policy will be published in employee and student handbooks.

Any member of the general public considered by the superintendent or designee to be in violation of this policy will be instructed to leave school district property. Employees found to be in violation of this policy will be subject to appropriate disciplinary action.

Employee penalties for violating this policy and/or regulation may include:

1. Warning;
2. Written reprimand; and/or
3. Suspension without pay.

However, where an employee has been given a specific written directive not to smoke on District property, violation of such a directive may constitute insubordination and result in discipline greater than that outlined in this regulation.

Alternatively, employees may be allowed, at the supervisor's option, to participate in an acceptable smoking/tobacco cessation program. Evidence of enrollment in and completion of such a program must be reported by employees to their immediate supervisors.

Disciplinary measures for students who violate this policy will include in-house detention, revocation of privileges and exclusion from extracurricular activities. Repeated violations may

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result in suspension from school. In accordance with state law, no student will be expelled solely for tobacco use.

LEGAL REFS.: 20 U.S.C. 7971 *et. seq.* (*prohibits smoking in any indoor facility used to provide educational services to children*)
C.R.S. 18-13-121 (*furnishing tobacco products to minors*)
C.R.S. 22-32-109 (1) (bb) (*policy required prohibiting use of tobacco products on school grounds.*)
C.R.S. 22-32-109.1(2)(a)(I)(H) (*policy required as part of safe schools plan*)
C.R.S. 25-14-103.5 (*tobacco use prohibited on school property*)
C.R.S. 25-14-301 (*Teen Tobacco Use Prevention Act*)

CROSS REFS: KFA, Public Conduct on District Property

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LEGALLY REQUIRED NOTICE

**STATE LAW AND DISTRICT
POLICY PROHIBIT TOBACCO
USE ON THIS PROPERTY**

