

STUDENTS: Conduct

STUDENT USE AND POSSESSION OF Tobacco

I. PURPOSE

THE SCHOOL BUILDINGS AND GROUNDS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS ARE TOBACCO-FREE. THIS RULE IS DEVELOPED TO NOTIFY STUDENTS THAT TOBACCO PRODUCTS IN ANY FORM ARE PROHIBITED IN ALL BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS), BUILDINGS, GROUNDS, AND IN CONNECTION WITH ALL SCHOOL-SPONSORED ACTIVITIES. THE RULE FURTHER ESTABLISHES DISCIPLINARY PROCEDURES FOR VIOLATIONS OF BOARD OF EDUCATION POLICY 5530 AND THIS ACCOMPANYING RULE.

II. DEFINITIONS

- A. *PARENT* –THE BIOLOGICAL PARENT, LEGAL GUARDIAN, OR PERSON ACTING IN THE ABSENCE OF THE PARENT OR GUARDIAN.
- B. *School Property* – MEANS ALL SCHOOL SYSTEM [Refers to any] property, vehicleS, buildingS, AND grounds OWNED BY, LEASED TO, OR UNDER THE JURISDICTION OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD), AND ANY OTHER LOCATION USED FOR SCHOOL-SPONSORED ACTIVITIES AND/OR SCHOOL-SPONSORED SOCIAL EVENTS. [or item leased to, under the jurisdiction of, or owned by the Board. of Education.]
- C. *SCHOOL-SPONSORED EVENT* – MEANS ANY ORGANIZED CLASS, CURRICULAR, OR EXTRACURRICULAR ACTIVITY INVOLVING STUDENTS AND SPONSORED BY, SUPERVISED BY, APPROVED BY, OR OTHERWISE UNDER THE JURISDICTION OF THE BOARD, ITS AGENTS OR REPRESENTATIVES, REGARDLESS OF WHEN OR WHERE THE ACTIVITY TAKES PLACE.
- D. *Tobacco* – Means products derived from the tobacco plant that are smoked, chewed, sniffed, or otherwise consumed, including cigarettes, CIGARETTE ROLLING PAPERS, cigars, pipe tobacco, snuff, chewing tobacco, or smokeless tobacco. [For the purpose of Policy 5530, the term, tobacco,] THIS SHALL [does] not include nicotine replacement therapy.

III. NOTIFICATIONS [SCHOOL ACTION]

- A. SCHOOL ADMINISTRATORS WILL NOTIFY ALL STUDENTS, PARENTS, AND STAFF ANNUALLY THAT THE [The] use and/or possession of tobacco or tobacco products by students is prohibited on school property and AT school-sponsored activities.
- B. ALL MIDDLE AND HIGH SCHOOL STUDENTS WILL BE NOTIFIED ANNUALLY IN THE STUDENT HANDBOOK OF THE PROVISIONS OUTLINED IN BOARD OF EDUCATION POLICY AND SUPERINTENDENT’S RULE 5530.

[The possession or use of tobacco is listed as an offense in Categories I and II in the *Student Handbook* [of Baltimore County Public Schools]. All cases involving tobacco use by students shall be processed as outlined in the *Student Handbook* of Baltimore County Public Schools.]

IV. VIOLATIONS

- A. AN ADMINISTRATOR WILL INVESTIGATE ANY ALLEGED VIOLATION OF THIS POLICY.
- B. IF A VIOLATION OF THIS POLICY HAS BEEN FOUND, APPROPRIATE ACTION WILL BE TAKEN IN ACCORDANCE WITH BOARD OF EDUCATION POLICY 5550, *DISRUPTIVE BEHAVIOR* AND THE BALTIMORE COUNTY PUBLIC SCHOOLS’ *STUDENT HANDBOOK*.
- C. ADMINISTRATORS WILL PROCESS VIOLATIONS IN A GIVEN SCHOOL YEAR ON A FOUR-STEP PROGRESSION:
 - 1. FIRST OFFENSE – A SCHOOL ADMINISTRATOR WILL HOLD A CONFERENCE WITH THE STUDENT AND A PARENT, ALTHOUGH SUSPENSION FROM SCHOOL MAY RESULT. DURING THE CONFERENCE THE PARENT WILL BE REMINDED THAT POSSESSION OF A TOBACCO PRODUCT BY A MINOR IS ILLEGAL IN MARYLAND AND THAT ANY FURTHER OFFENSES MAY RESULT IN SUSPENSION.
 - 2. SECOND OFFENSE – THE SCHOOL ADMINISTRATOR WILL HOLD A CONFERENCE WITH THE STUDENT AND PARENT. THE STUDENT MAY BE SUSPENDED.
 - 3. THIRD OFFENSE – THE STUDENT WILL BE SUSPENDED.
 - 4. FOURTH AND SUBSEQUENT OFFENSE - THE SCHOOL ADMINISTRATOR WILL HOLD A CONFERENCE WITH THE STUDENT AND PARENT. THE STUDENT WILL BE

SUSPENDED FOR UP TO TEN (10) SCHOOL DAYS AND REFERRED TO THE SUPERINTENDENT OR HIS DESIGNEE FOR ALTERNATIVE PROGRAM ASSIGNMENT.

III. PREVENTION PROGRAMS

- A. THE DEPARTMENT OF CURRICULUM AND INSTRUCTION, AS PART OF THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, WILL PROVIDE SCHOOLS WITH CURRICULUM GUIDES, RESOURCES, AND INSTRUCTIONAL SUPPORT TO MAKE STUDENTS AWARE OF THE DANGERS OF TOBACCO USE.

[The Division of Educational Support Services, staff of the Departments of Elementary and Secondary Curriculum and Instruction, and the Office of Health and Physical Education are directed to continue efforts to make students aware, through educational programs, of the dangers of smoking and other uses of tobacco. Health education units/lessons in kindergarten to twelfth grades address the detrimental aspects of the use of tobacco.]

- B. School nurses and school counselors will [direct] REFER students who [are involved with tobacco use] USE TOBACCO to APPROPRIATE programs/resources designed to assist them in discontinuing tobacco use UPON REQUEST.

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §10-107, DISTRIBUTION OF TOBACCO PRODUCT TO MINOR*
ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §10-108, POSSESSION OF TOBACCO PRODUCT BY MINOR; USE OF FALSE IDENTIFICATION
COMAR 13A.02.04, *TOBACCO-FREE SCHOOL ENVIRONMENT*
COMAR 13A.04.18, *PROGRAM IN COMPREHENSIVE HEALTH EDUCATION*
COMAR 13A.08.01.08, *SUBSTANCE USE OR DISTRIBUTION*

RELATED POLICIES: BOARD OF EDUCATION POLICY 2372, *TOBACCO*
BOARD OF EDUCATION POLICY 5330, *SOCIAL ACTIVITIES*

BOARD OF EDUCATION POLICY 5500, *CONDUCT*
BOARD OF EDUCATION POLICY 5550, *DISRUPTIVE*
BEHAVIOR

BOARD OF EDUCATION POLICY 5560, *SUSPENSIONS,*
ASSIGNMENT TO ALTERNATIVE PROGRAMS, OR
EXPULSIONS

BOARD OF EDUCATION POLICY 5600, *STUDENTS'*
RIGHTS AND RESPONSIBILITIES

Rule

Superintendent of Schools

Approved: 11/29/73

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REVISED: _____