
**TOBACCO-FREE DISTRICT
POLICY FOR EMPLOYEES, VISITORS AND OTHER ADULTS**

INTRODUCTION

As required by Colorado statute, and in order to:

- promote a healthy school and work environment,
 - promote the general health, welfare and well-being of District students, employees, visitors, and others, and
 - set a positive example for District students consistent with the District's health curriculum,
- use of any tobacco product by any person, including but not limited to employees and visitors, is prohibited while in or on any District property or premises or while attending any District-sponsored event or activity, as those terms are defined herein. Additional tobacco-related prohibitions apply to District students as described in File: JICG.

DEFINITIONS

For purposes of this policy, the following definitions shall apply:

1. "District" shall mean Colorado Springs School District No. 11, as well as any school, department, division, work site, or other subdivision, employee, or representative thereof;
2. "District property or premises" shall mean all property whether owned, leased, rented, or otherwise used by the District, including but not limited to the following:
 - a. All interior portions of any building or other structure, used for instruction, administration, support services, maintenance, or storage and any other structure used by the District, except that such term shall not apply to a building used primarily as a residence or except as otherwise provided in this policy;
 - b. All District grounds, surrounding any building or structure specified in Section (1)(a) above, over which the District is authorized to exercise dominion and control including, but not limited to any playground, athletic field, recreation area, parking area, and any area surrounding a building or other structure; and,
 - c. All vehicles used by the District for the purpose of transporting District students, staff, visitors, or any other persons, except that, an employee's or other driver's personal vehicle shall not be considered a District vehicle for purposes of this policy unless the employee or other driver is transporting another person as a part of his or her District responsibilities, or as part of a District-sponsored activity or event.
3. "District activity or event" means any District-initiated, District-organized, or District-sponsored meeting, class, session, assembly, gathering, or other education-, work-, or business-related use, regardless of whether or not District students are involved.

An event or activity shall not be considered to be a District event or activity where the District merely sends a representative to an event or activity that is sponsored by another entity or organization. For example, a privately owned sports arena does not become District property or premises merely because the District sends student athletes to an athletic event held in the arena. Likewise, an indoor facility in which an out-of-state conference is held does not become District property or premises merely because the District sends a delegate or representative to the conference. Except that, employees or others who attend such events to supervise or participate directly in the event are prohibited from all tobacco use while in the immediate vicinity of District students.

4. "Tobacco" shall include, but not be limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or ingesting in any other manner. "Tobacco" shall also include cloves or any other product packaged for smoking, but shall exclude bona fide smoking cessation products that are recognized and approved for that purpose by the general medical profession (for example, products that consist of a nicotine dispensing patch).

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5. "Use" shall mean lighting, chewing, inhaling, smoking or otherwise ingesting any tobacco product.

GENERAL GUIDELINES

To assist employees, visitors, and others in complying with this policy, the following general rules shall apply:

District-owned property or premises. All tobacco use is prohibited, by all persons, at all times.

Other District-controlled property or premises. All tobacco use is prohibited, by all persons, at all times, in those portions of property or premises controlled by the District through a lease or other use agreement. Restrictions on tobacco use in the portions of the facility not under the District's control shall be governed by the rules of the property's management.

Property or premises neither owned nor controlled by the District on which a District event or activity is held. In the absence of a lease or other use agreement, the District shall be deemed to control the immediate portion of any property or premises on which a District event or activity is held, as well as other areas designated by the District, and all tobacco use by all persons shall be prohibited in each such portion or area of the facility for the duration of the event or activity. Restrictions on tobacco use in the portions of the facility not under the District's control shall be governed by the rules of the property's management.

Property or premises neither owned nor controlled by the District. As role models for District students, employees are encouraged, but are not required, to refrain from using any tobacco product on property the District does not own or control that is in the immediate vicinity of any District school or District-sponsored event or activity that involves District students, or is otherwise within view of District students.

This policy is not intended to restrict the lawful use of tobacco by employees that occurs during non-working hours while off District property or premises, as defined herein.

To further the goals of this policy and avoid confusion for employees, visitors, and other adults, where the District is unable to hold an event or activity on property owned or controlled by the District, the Administration is encouraged to schedule such event or activity in a non-smoking facility to the extent practicable.

Signs shall be posted in prominent places on all District property or premises to notify the public that use of tobacco is prohibited in accordance with state law and Board policy. Notification shall be accomplished by other appropriate means where signage is impracticable.

Any employee who violates this policy may be subject to appropriate disciplinary action. Any member of the general public, including any visitor, who violates this policy may be instructed by the Superintendent or his/her designee to leave the property or activity at which the violation occurs.

Exemptions Not Valid

No exemption previously granted pursuant to this policy shall be valid on or after July 1, 1999.

Adopted: June 1999

LEGAL REFS.: 20 U.S.C. §6083
C.R.S. §18-13-121
C.R.S. §22-32-109 (1)(bb)
C.R.S. §24-34-402.5
C.R.S. §25-14-103.5

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6 C.C.R. 1010-6, Rule 5-306

CROSS REFS.: JICG, Tobacco-Free Schools
IHAMA, Teaching about Drugs, Alcohol and Tobacco
KFA, Public Conduct on School Property