

LINCOLN PUBLIC SCHOOLS

PROTOCOL FOR ALL ENFORCEMENT OF PROHIBITION OF TOBACCO AND TOBACCO PRODUCTS ON SCHOOL GROUNDS AND SCHOOL SPONSORED ACTIVITIES

I. PURPOSE

The Rhode Island General Assembly has determined that:

Smoking is the leading cause of preventable death and disease in the United States.¹ Secondhand smoke is the third leading cause of death in the United States. Ninety percent (90%) of the people who smoke start by age nineteen (19), with the average age of those starting to smoke at thirteen (13). Children exposed to tobacco smoke are at nearly twice the risk of being in poor or fair health as compared to children who are never exposed to tobacco smoke. Children exposed to tobacco smoke have an increased frequency of respiratory infections and decreased lung function.

The proliferation of electronic nicotine delivery systems (“ENDS”), commonly known as “e-cigarettes” have been designed and marketed to appeal to children. Flavored e-cigarettes decrease perceptions of harm, help mask the harsh taste of tobacco and play an important role in the appeal, initiation, and uptake of tobacco products among children. E-cigarettes can impact children’s respiratory health, brain development, mood, sleep, immune function, and have an increased risk of initiating the smoking of cigarettes.

Preventing the use of tobacco, tobacco products, and e-cigarettes in schools or at school related activities can reduce the frequency in which children are exposed to e-cigarettes, or directly or secondhand to tobacco smoke thereby improving health outcomes for students. Preventing the use of these products will also reduce any detrimental effect on the health and safety of students, staff and visitors.

State law, R.I. Gen. Laws § 23-20.9-1 et seq., requires the Lincoln School District to develop policy and protocol to enforce the prohibition of tobacco product and ENDS usage by an individual utilizing any school facility.

II. ENABLING AUTHORITY

In accordance with R.I. Gen. Laws §16-2-11 and School Committee Use of Tobacco Products on School Premises policy, the Superintendent promulgates the following protocols as necessary to effectuate and enforce said policy.

¹ R.I. Gen. Laws § 23-20.9-2(a).

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III. DEFINITIONS

Administrator - Person(s) including but not limited to principals, vice-principals, office personnel, and others who have conduct and managerial authority to enforce school policies.

Parent/Guardian - Person(s) that have legal guardian status and responsibility for a student enrolled in the Lincoln Public Schools for educational purposes.

Person(s) - Includes students, parents, contractors, faculty, staff, administrators, and all other visitors.

School building - Any building or enclosed walkway that is owned, leased, or rented for educational purposes or extracurricular activities.

School grounds - All school buildings, parking lots, athletic fields, loading docks, school outdoor facilities, and other premises owned, leased, or rented for educational purposes or extracurricular activities.

Smoking - "Smoking" or "smoke", the inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, weed, plant, other tobacco product or plant product, or other combustible substance in any manner or **in any form intended for inhalation in any manner or form**. "Smoking" or "smoke" also includes the use of electronic cigarettes, electronic cigars, electronic pipes, electronic nicotine delivery systems, or other similar products that rely on vaporization or aerosolization.

Staff - Person(s) employed by the Lincoln Public Schools as a full-time or part-time employee, independent contractor, or volunteer.

Student - Person(s) legally enrolled in the Lincoln Public Schools for educational purposes.

Tobacco paraphernalia - Any device used to aid, ingest, light, burn, or consume any tobacco product as defined herein, including but not limited to pipes, rolling papers, matches or any component or part of a tobacco product.

Tobacco product(s) - Any product(s) containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a little cigar as defined in RIGL § 44-20.2-1, and any and all products as defined in RIGL § 44-20-1, electronic nicotine-delivery systems, or any added substance that may be aerosolized, vaporized, or otherwise delivered by an electronic nicotine-delivery system device, whether or not that substance contains nicotine.

"Tobacco product(s)" does not include drugs, devices, or combination products intended to treat tobacco or nicotine dependence that are authorized by the United States Food and

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Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act. Nor does it include such authorized drugs, devices, or combination products with such treatment purpose by individuals under age twenty-one (21) if prescribed by a licensed prescriber such as a physician, nurse practitioner, or physician assistant.

Electronic nicotine-delivery system - An electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic little cigars, electronic pipe, or electronic hookah, "heat not burn products", e-liquids, e-liquid products, or any related device and any device and any cartridge or other component of such device.

IV. PROHIBITIONS

Use of tobacco product - No person(s) shall, at any time, use a tobacco product, including electronic nicotine-delivery systems, in any school building, on any school grounds, at any athletic event or any school sponsored event or in any school bus or other vehicle used for school purposes. Pursuant to RIGL § 23-20.9-5.

Possession of tobacco product - No student shall at any time possess any tobacco product or tobacco paraphernalia, including electronic nicotine-delivery systems, in any school building, on any school grounds, at any athletic event or any school-sponsored event or in any school bus or other vehicle used for school purposes.

Tobacco industry promotions prohibited - No one on behalf of the Lincoln Public Schools may solicit or accept any contributions, gifts or money from the tobacco industry to include, but not be limited to, donations, monies for sponsorships/scholarships, advertising, promotions, loans or support for equipment, uniforms and sports and/or training facilities. No one on behalf of the Lincoln Public Schools may solicit or accept curricula or other educational materials of any kind that are created by or with input from the tobacco industry.

V. ENFORCEMENT

Confiscation - When there is evidence that a student is in possession of tobacco products or tobacco paraphernalia, including electronic nicotine-delivery systems, administrators or other designated staff will confiscate such items.

Fair and equitable implementation - This policy, response and sanctions for alleged violations of policy will be administered fairly and equitably. Enforcement and sanctions shall be applied universally regardless of a student's race, religion, color, national origin, age, sex, sexual orientation, gender identity or expression, disability, primary language, academic standing, employment status, family income, zip code, participation in student athletics, the arts, student government, etc. The school will conduct periodic review regarding consistency of policy enforcement and sanctions with consideration towards known demographics.

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Sanction Timeline - Ongoing use of tobacco products, including electronic nicotine-delivery systems, can indicate addiction and may be triggered by social-emotional circumstances. It is important to intervene with responses that are aligned with student tobacco use at a point in time. This policy will reset at the beginning of each school year.

VI. SANCTIONS

A. First Violation

- Confiscation and destruction of tobacco product and/or tobacco paraphernalia including electronic nicotine delivery systems, regardless of student age or parent consent.
 - RIGL § 23-20.9-5 prohibits use of tobacco products, including electronic nicotine delivery systems.
 - [Click here](#) for FDA's guidance on safe disposal of e-cigarettes and e-liquid waste.
- Mandatory referral to in-school Student Assistance Counselor (SAC) for one (1) to three (3) sessions for screening, assessment, and motivational interviewing. The school will notify the parent/guardian that the student has been referred to the SAC.
 - The first session with the in-school SAC should occur within one (1) week of violation or next available opening and should last for no fewer than thirty (30) minutes. Future sessions will be at the discretion of the SAC.
 - In the case that the school does not currently have a SAC, the student will meet with a school social worker, psychologist, or similar support professional for a screening, assessment, and motivational interview.
 - Completion of an Educational Program (timing of program at the discretion of Administrator)
 - Educational Program Option #1:
 - Student must complete INDEPTH™ Alternative to Suspension program
 - Session 1: Getting the Facts: Breaks down the program for participants.
 - Session 2: Addiction: Explains the harmful effects of nicotine and tobacco products.
 - Session 3: Alternatives: Helps teens understand their urges and identify healthy alternatives to replace tobacco use.
 - Session 4: Past, Present, Future: Talks about next steps and how to avoid future tobacco-related problems.
 - Educational Program Option #2:
 - Review of information and complete two-page essay or ten-minute video on one of the following topics
 - Nicotine addiction and the developing brain.

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- Health problems associated with long term use of tobacco products, including electronic nicotine delivery systems.
 - Tobacco, nicotine and vaping as equity and social justice issues.
 - Essay must be graded by educator and graded at 75.0 numerical level.
 - Review and return to student until they meet academic criteria.
 - Essay must be completed within five school days of violation.
- Educational Program Option #3:
 - Prevention retreat curated by prevention specialists.
 - Student required to attend a training on substance use prevention, mental health promotion, coping strategies, and will be responsible for taking a pre- and post-test to measure what they learned.
 - During this prevention retreat, the student must meet with school personnel to review the resources available to them.
 - If the student does not comply, it would result in school sanctioned conduct response.
 - School sanctioned conduct response option:
 - Student will write a reflection letter detailing how behavior may affect themselves and others, acknowledging awareness for exposing them to secondhand smoke/vapor/aerosol.

B. Second Violation

- Confiscation and destruction of tobacco product and/or tobacco paraphernalia, including electronic nicotine delivery systems, regardless of student age or parent consent.
- RIGL § 23-20.9-5 prohibits use of tobacco products, including electronic nicotine delivery systems.
- Click here for FDA's guidance on safe disposal of e-cigarettes and e-liquid waste.
- s Mandatory referral to in-school Student Assistance Counselor (SAC) for three (3) to five (5) sessions for screening, assessment, and motivational interviewing. The school will notify the parent/guardian that the student has been referred to the SAC.
- The first session with the in-school SAC should occur within one (1) week of violation or next available opening and should last for no fewer than thirty (30) minutes. Future sessions will be at the discretion of the SAC.
- School sanctioned conduct response and educational program at discretion of Administrator.
- Educational program requirements
- Identical to those outlined in first violation.
- School sanctioned conduct response requirements.
- Identical to those outlined in first violation.

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- Student is accompanied by parents/guardians to meeting with school administrators.
- Discussion of openness to behavior change, support resources and potential future conduct responses with parent/guardian and student.

C. Third (or more) Violation:

- Confiscation and destruction of tobacco product and/or tobacco paraphernalia, including electronic nicotine delivery systems, regardless of student age or parent consent.
- RIGL § 23-20.9-5 prohibits use of tobacco products, including electronic nicotine delivery systems.
- [Click here](#) for FDA's guidance on safe disposal of e-cigarettes and e-liquid waste.
- Mandatory referral to in-school Student Assistance Counselor (SAC) for three (3) to seven (7) sessions for screening, assessment, motivational interviewing, and referral to cessation/quit resources. The school will notify the parent/guardian that the student has been referred to the SAC.
- The first session with the in-school SAC should occur within one (1) week of violation and should last for no fewer than thirty (30) minutes. Future sessions will be at the discretion of the SAC.
- School sanctioned conduct response and educational program at discretion of Administrator
- Educational program requirements.
 - Identical to those outlined in second violation.
- School sanctioned conduct response requirements.
 - Identical to those outlined in second violation.

Adopted: January 9, 2023