

**USE OF TOBACCO PRODUCTS ON SCHOOL PROPERTY
BY SCHOOL EMPLOYEES & VISITORS**

SECTION I: GENERAL PRINCIPLE

The Greenfield Public Schools are committed to ensuring a tobacco-free environment for the entire school community. Education about the consequences of tobacco use is an integral part of the GPS curriculum at many grade levels and it is essential that staff actions support the education provided.

SECTION II: STATE LAW

Smoking, and the use of tobacco products by students, staff, volunteers and visitors, is prohibited on all school property at all times, according to Massachusetts General Laws, Chapter 71, Section 37H, effective June 4, 1993.

School property includes school buildings, school facilities, school grounds, school parking lots and school buses, and any property controlled by the School Committee.

SECTION III: DEFINITIONS

<i>Tobacco & Tobacco Products</i>	Cigarettes, cigars, chewing tobacco, snuff, or any other forms of tobacco.
<i>Tobacco Use</i>	Smoking, inhaling, or chewing tobacco or tobacco products

SECTION IV: DISCIPLINARY CONSEQUENCES

At the beginning of the school year, and/or upon hire, each employee will read and sign the attached agreement (See Form GBK-1). Upon determination by the Principal or Superintendent that a violation has occurred, in accordance with the attached regulations, the following consequences will result:

SCHOOL EMPLOYEES DURING CONTRACTED HOURS

First Offense:

- At the violator's option, \$50 fine OR attendance at two meetings with a tobacco cessation counselor or a tobacco education program compensated per the Drug-Free/Alcohol-Free/Tobacco-Free Workplace Policy. Fine will be waived with verification of attendance at two sessions or classes.
- Written notification of violation

Second Offense:

- \$50 fine
- Written reprimand to be filed in Personnel File

Third Offense and Subsequent Offenses:

- \$50 fine
- Progressive disciplinary action, as per applicable contract of employment

VISITORS (REGARDLESS OF AGE) & SCHOOL EMPLOYEES DURING NON-CONTRACTED HOURS

- First violations will result in a written warning
- Second violations and subsequent violations will result in a \$50 fine

**USE OF TOBACCO PRODUCTS ON SCHOOL PROPERTY
BY SCHOOL EMPLOYEES & VISITORS**

PROCEDURES

Reporting

Any school employee who observes a school employee or visitor using tobacco product on school property must report the observation to the principal within 48 hours.* Any adult observing tobacco use on school property may also make a report to the principal. The observer shall complete the tobacco reporting form available in each principal's office.

*In the event that the employee observed using tobacco is a principal, the report of the violation will be made to the Superintendent.

Investigation

After receiving the report, the Principal shall investigate the circumstances surrounding the incident. The investigation shall include an interview with the employee or visitor, the reporter, and any identified witnesses. The employee or visitor shall have the opportunity to related his/her side of the incident and substantiate his/her statements.

Determination

After completion of the investigation, the Principal shall make a determination. The Principal determines whether or not the evidence supports a finding that the employee or visitor used tobacco products in violation of this policy. The Principal shall provide written notification to the employee or visitor of the determination and the consequences as set forth in this policy. **A determination will be made within three days from the date that the incident was reported to the Principal.**

Enforcement

1. The Principal may initiate the disciplinary consequences as set forth by this policy.
 1. **Visitors**
 1. Warnings shall be kept on file in the Principal's Office
 - b. Subsequent offenses shall result in fines
 2. **Employees**
 - a. If the offender chooses a described alternative to paying the fine as stated in this policy, the violation will be documented in writing pending completion of the alternative consequence.
 2. If the employee fails to satisfactorily complete the alternative obligation, a ticket will be issued.
 3. The date on the ticket will reflect the date the ticket was issued.
2. **Fines**
In the event that a fine is levied, the following procedures shall apply:
 1. As enforcing agents of the Board of Health, designated GPS school officials are authorized to sign non-criminal tickets for school smoking regulation violations, as described in M.G.L. Ch. 40, Sec. 21D and GPS Policy.
 2. When a ticket is to be issued, the enforcing agent writes a non-criminal ticket (in 4 copies) and issues copies to the following:
 1. Offender's copy: handed to violator after violation
 2. Town Clerk's copy: sent or delivered to Town Clerk's office
 3. Board of Health copy: sent or delivered to Board of Health office
 4. School copy: kept on file at School Office
 5. (Optional) District Court copy: mailed to Clerk Magistrate, Greenfield District Court

**USE OF TOBACCO PRODUCTS ON SCHOOL PROPERTY
BY SCHOOL EMPLOYEES & VISITORS (continued)**

B. Fines (continued)

3. School District Officials, or their designees, shall enter tickets issued on a Control List to track the disposition of the violations.
4. Options available to the offender within 21 days of the issuance of the ticket are:
 1. Appear in person at the office of the Town Clerk to pay the fine; or
 2. Pay the fine by mail to the office of the Town Clerk; or
 3. Request a hearing in the Greenfield District Court. This request must be submitted in writing and be accompanied by the offender's copy of the ticket
5. Payment of the fine, either in person or by mail, serves as the final disposition of the case. After 21 days, school district staff will check whether the fine has been paid. The Town Clerk notifies the Board of Health and GPS of the payment.
6. If a hearing is requested with the District Court, a designated school official will be present at the hearing. There are three possible outcomes to such a court hearing:
 1. If the court finds that the violation did not occur, or that the person appearing did not commit the violation, the matter will be dismissed.
 2. If the court finds that the offender committed the violation, and such person pays the fine, this will serve as final disposition of the case.
 3. If the court finds that the violation was committed by the offender, and the offender refuses to pay, the Town may pursue the matter by means of a criminal complaint.
7. If 21 calendar days elapse and the offender has neither paid the fine, nor requested a hearing, the Board of Health shall decide whether to file a criminal complaint.

TRAINING AND INFORMATION

The Principal shall provide information and cause training of all school employees to occur with regard to the implementation of this policy.

Adopted 6/13/91
Revised 8/15/00

STUDENT USE OR POSSESSION OF TOBACCO PRODUCTS ON GREENFIELD PUBLIC SCHOOLS PROPERTY

SECTION I: GENERAL PRINCIPLE

The Greenfield Public Schools are committed to ensuring a tobacco-free environment for the health and well-being of the entire school community. Education about the consequences of tobacco use is an integral part of the GPS curriculum at many grade levels.

SECTION II: STATE LAW

Smoking, and the use of tobacco products by students, staff, volunteers and visitors, is prohibited on all school property at all times in accordance with Massachusetts General Laws, Chapter 71, Section 37H, effective June 4, 1993.

District policy prohibits student possession of tobacco products or tobacco paraphernalia on school property and at school-sponsored trips and events. School property includes school buildings, school facilities, school grounds, school parking lots and school buses and any property controlled by the School Committee:

SECTION III: DEFINITIONS

<i>School-sponsored Trips and Events</i>	Includes, but is not limited to, such activities as field trips, graduation events, sporting events, work internships and dances.
<i>Student</i>	Students enrolled in the Greenfield Public Schools regardless of age.
<i>Tobacco & Tobacco Products</i>	Cigarettes, cigars, chewing tobacco, snuff, or any other forms of tobacco.
<i>Tobacco Paraphernalia</i>	Equipment, products, or materials of any kind which are intended or designed for producing, possessing, or using tobacco products. This shall not include cigarette rolling papers.
<i>Tobacco Use</i>	Smoking, inhaling, or chewing tobacco or tobacco products; reasonable cause to believe tobacco products are being used.

SECTION IV: DISCIPLINARY CONSEQUENCES

Upon determination by the Principal, or his/her designee, that a violation has occurred, in accordance with the attached regulations (JFCG-R), the following consequences will result:

First Offense (within a given school year)

- Removal of tobacco product or paraphernalia with return to the parent or legal guardian upon written request by the parent or legal guardian within 30 days of the violation.
- Parent/guardian notification by letter or phone
- Notification of sports and activities directors (MIAA regulations will apply to athletes)
- At the violator's option, \$50 fine OR after-school tobacco education classes; three days, 1.5 hours per day

Second Offense (within a given school year)

- Removal of the tobacco product or paraphernalia with return to the parent or legal guardian upon written request by the parent or legal guardian within 30 days of the violation
- Parent/guardian conference
- Notification of sports and activities directors (MIAA regulations will apply to athletes)
- At the violator's option, \$50 fine OR a service project about the realities of tobacco use AND attendance at after-school tobacco education classes; three days, 1.5 hours per day

Adopted 5/23/00

**STUDENT USE OR POSSESSION OF TOBACCO PRODUCTS
ON GREENFIELD PUBLIC SCHOOLS PROPERTY**

Third Offense and ALL SUBSEQUENT OFFENSES (within a given school year)

- Removal of the tobacco product or paraphernalia with return to the parent or legal guardian upon written request by the parent or legal guardian within 30 days of the violation
- Parent/guardian conference
- Notification of sports and activities directors (MIAA regulations will apply to athletes)
- \$50 fine
- Mandatory attendance at after-school tobacco education classes; three days, 1.5 hours per day

Adopted 5/23/00

REGULATIONS GOVERNING STUDENT USE OR POSSESSION OF TOBACCO PRODUCTS ON SCHOOL PROPERTY

PROCEDURES

Reporting

Any school employee who observes a student in possession of, or using, a tobacco product, or who has reasonable cause to believe a student is in possession of, or using, a tobacco product, shall direct the student to the Principal, or his/her designee, and report the incident. If the violation is alleged to have occurred during a school-sponsored activity off school grounds, the person who made the observation shall report the violation to the Principal, or his/her designee, within 48 hours, and shall make out a written statement including the student's name, the date, time and circumstances surrounding the incident, to include a list of witnesses who may have observed the incident.

Investigation

After receiving the report by the employee, the Principal, or his/her designee, shall investigate the circumstances surrounding the incident. The investigation shall include an interview with the student, the reporter, and any identified witnesses. The student shall have the opportunity to relate his/her side of the incident and substantiate his/her statements. The Principal shall notify the student's parent or guardian that the student is the subject of the investigation.

Determination

After completion of the investigation, the Principal, or his/her designee, shall make a determination. The Principal, or his/her designee, determines whether or not the evidence supports a finding that a student possessed or used tobacco products in violation of this policy. The Principal shall provide written notification to the student and his/her parents of the determination and the consequences as set forth in this policy. A determination will be made within three days from the date that the incident was reported to the Principal.

Enforcement

1. The Principal, or his/her designee, shall initiate the disciplinary consequences as set forth by this policy. If the offender chooses a described alternative to paying the fine, the violation will be documented pending completion of the alternative consequence. If the student fails to satisfactorily complete the alternative obligation, the ticket will be issued. The date of the ticket will reflect the date that it is issued.
- B. Fines
When a fine is levied, the following procedures shall apply:
 1. As enforcing agents of the Board of Health, designated GPS school officials are authorized to sign non-criminal tickets for school smoking regulation violations, as described in M.G.L., Chapter 40, Sec. 21D and the GPS Policy (JFCG).
 2. When a ticket is to be issued, the enforcing agent writes a non-criminal ticket (in four copies) and issues copies to the following:
 1. Offender's copy: handed to violator after violation
 2. Town Clerk's copy: sent or delivered to Town Clerk's office
 3. Board of Health copy: sent or delivered to Board of Health office
 4. School copy: kept on file at School Office
 5. (Optional) District Court copy: mailed to Clerk Magistrate, Greenfield District Court
 3. School district officials, or their designees, shall enter tickets issued on a Control List to track the disposition of the violations.

Adopted 5/23/00

**REGULATIONS GOVERNING STUDENT USE OR POSSESSION OF TOBACCO PRODUCTS
ON SCHOOL PROPERTY (continued)**

4. Options available to the offender within 21 days of the issuance of the ticket are:
 1. Appear in person at the office of the Town Clerk to pay the fine; or
 2. Pay the fine by mail to the office of the Town Clerk; or
 3. Request a hearing in the Greenfield District Court. This request must be submitted in writing and be accompanied by the offender's copy of the ticket
5. Payment of the fine, either in person or by mail, serves as the final disposition of the case. After 21 days, school district staff will check whether the fine has been paid. The Town Clerk notifies the Board of Health and GPS of the payment.
6. If a hearing is requested with the District Court, a designated school official will be present at the hearing. There are three possible outcomes to such a court hearing:
 1. If the court finds that the violation did not occur, or that the person appearing did not commit the violation, the matter will be dismissed.
 2. If the court finds that the offender committed the violation, and such person pays the fine, this will serve as final disposition of the case.
 3. If the court finds that the violation was committed by the offender, and the offender refuses to pay, the Town may pursue the matter by means of a criminal complaint.
7. If 21 calendar days elapse and the offender has neither paid the fine, nor requested a hearing, the Board of Health shall decide whether to file a criminal complaint.

TRAINING AND INFORMATION

The Principal shall provide information and cause training of all school employees to occur with regard to the implementation of this policy. Parents and students shall be notified each year of the provisions of this policy through publication in the student handbook.

Adopted 5/23/00

Please Print Neatly

GREENFIELD PUBLIC SCHOOLS

TOBACCO REPORTING FORM

Date of Violation _____ Time of Violation _____

Classification of Violator: (check) _____ Student & _____ Grade Level _____ Visitor _____ Staff

Name of Violator _____

Address of Violator _____

Location of Incident _____

Describe What you Saw _____

Were there any other witnesses? Yes No (circle)

Names of witnesses _____

Comments: _____

Name of Person Filing Report _____ Title (if applicable) _____

Date of Report _____

Person Receiving Form _____

Date Received by Principal _____

Principal's Signature _____

Date of Determination _____

Warning Issued

Ticket Issued

Alternative Chosen

COPY SENT TO SUPERINTENDENT'S OFFICE ON: _____

Adopted 5/23/00

GREENFIELD PUBLIC SCHOOLS
TOBACCO-FREE WORKPLACE AGREEMENT

Name: (please print) _____

Signature: _____

Job Title: _____

Department, Office, or Board: _____

School Building: _____

I have received a copy of, and have read, the Greenfield Public School district's Policy GBK: Use of Tobacco Products on School Property by School Employees & Visitors.

I understand my obligation to refrain from using tobacco and tobacco products on school premises.

I am aware of Greenfield Public Schools' Employee Assistance Program, which offers confidential counseling to my immediate family members and myself for tobacco cessation programs.

I understand my obligation to support the School Committee's effort to provide a tobacco-free environment.

I understand that if I have any questions regarding this policy, I should contact my building principal or the Business Office.

Adopted 8/15/00