

JOHNSTON PUBLIC SCHOOLS

“Tobacco-Free School Policy”

Policy:

Adopted: August 24, 1993

Amended: January 12, 1999

Amended: April 12, 2005 Resolution 05-04-1

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Background and Purpose

The U.S. Environmental Protective Agency (EPA) has classified environmental tobacco smoke (ETS) as a Group A (known human) carcinogen, and concluded that exposure to ETS presents a serious and substantial public health risk.

Legislative Intent

Rhode Island General Law Title 23 Health and Safety Chapter 23-20.7-1:

It has been determined that the use of tobacco for smoking and tobacco containing products is the leading cause of preventable death and disease not only to the person smoking but the non-smoking person who is required to breathe the contaminated air.

Policy Statement

Therefore, in compliance with the Rhode Island Public Laws Chapter 20.9 (Smoking in Schools) the Johnston Public Schools is committed in protecting the health and welfare of employees, students and others from known hazards due to exposure from environmental tobacco smoke and endorses a tobacco-free school environment.

Effective September 1, 1993 the use of and/or display of smoking and tobacco containing products shall be prohibited in and/or on all Johnston Public Schools facilities, properties, and vehicles whether owned, leased or rented. This includes, without limitation, all school buildings, playgrounds, indoor and outdoor athletic facilities, gymnasiums, locker rooms and all means of school transportation – owned or not owned vehicles and/or buses or other, and any outside area on school grounds within twenty-five (25) feet of any school property/boundary.

Classifications of Tobacco Containing Products

Smoking is referenced as, but not limited to, actively lighting, smoking, inhaling, exhaling, burning, and/or carrying a tobacco containing product such as cigars, cigarettes, and/or pipe and/or any weed or plant for the purpose of smoking or distribution..

Secondhand smoke is classified into two categories: *mainstream smoke* - the mixture of smoke given off by the burning end of tobacco products, and *sidestream smoke* being exhaled or smoke from a burning tobacco product.

Smokeless tobacco is classified as tobacco containing product in bulk form such as Skoal or Copenhagen brands.

Persons Affected

No person-employee (full-time, part-time, substitute), teacher, student, parent, vendor, employees of contracted vendor, visitors, rental groups, citizens or others shall be allowed to use tobacco containing products while in and/or on school facilities or school vehicles.

Smoke-Free School Act

In accordance with the State of Rhode Island General Laws Chapter 23-20.9-5 education facilities must have at least one (1) Tobacco Free sign: “Tobacco-Free School – Tobacco Use Prohibited” affixed to the main school entrance.

Smoke-Free Public Place and Workplace Law

Effective March 1, 2005 all public places and workplaces in Rhode Island are to ensure a smoke free environment and signs are to be posted at every entrance-Rhode Island General Laws 23-20.10-7.

Duplication of Signage

The Rhode Island Department of Health has determined that “There is no need to duplicate signage by adding the Public Health and Workplace Safety sign, as long as one or the other is posted.”

Students:

Students who violate any part of the policy will be referred to the appropriate authority and shall be disciplined in accordance with the Policy Manual for the program they attend.

Employees:

Employees (refer to “Persons Affected”) who violate any part of the policy shall be disciplined as follows;

First violation:	Documented Verbal Warning
Second violation:	Reprimand placed in employee’s file noting abuse of policy
Third violation:	Suspension of up to three (3) days.

Others:

Others (refer to “Persons Affected”) who violate any part of the policy shall be addressed as follows;

First violation:	Verbal request to stop smoking or use of tobacco products.
Second violation:	Refusal to comply will result in the school department filing a written report with the person in charge.
Third violation:	Person in charge will direct violator to leave the site. Non-compliance shall result in request to have local law enforcement personnel intervene.

Facility Use

All persons and/or organizations utilizing the school facilities must agree to abide by all school department policies, and any non-compliance will result in revocation of request(s).

Violations

Violations to policy are cumulative.

Penalties

State Law (23-20-6.2) provides for fines of not less than \$50.00 nor more than \$500.00 per day which shall be assessed and recovered in a civil action brought by the attorney general in any court of competent jurisdiction.

Public Place or Workplace Smoking Complaint Form

Verbal complaints may be filed by contacting the school building administrator, the Superintendent’s office and/or the Rhode Island Department of Health at 401-222-3293.

Written complaints of non-compliance may be filed on the form provided by The Rhode Island Department of Health-Office of Environmental Health Risk Assessment, addressed to the building administrator, Superintendent’s office and/or the Rhode Island Department of Health.

Website complaints may be filed by going to the Johnston Public Schools website forwarded to the appropriate administrator and/or the Rhode Island Department of Health <http://www.health.ri.gov/disease/tobacco>.

Protection Against Recourse

The Johnston Public Schools will not violate any Rights and/or take action against any person(s) who brings forward complaints relative to this Policy.

Severability:

Rhode Island General Law Title 23 Health and Safety Chapter 23-20.6-If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and this holding shall not affect the validity of the of the remaining portions of this chapter.

Time Table of Implementation

The Johnston Public Schools recognizes the importance of communication and dissemination of information of information relative to the implementation of this policy.

The following time-line will be implemented:

January 1993-September 1994	Smoking cessation programs to be offered to employees
September 1993	Posting of Tobacco-free policy.
September 1993	Tobacco-free school district in effect. Signs identifying the Johnston Public Schools as a tobacco-free district will be posted
March 1, 2005	Compliance with Smoke-Free Public Place and Workplace Law Revision of Policy

Referral Assistance

Employees may obtain help utilizing EAP (Employee Assistance Program) as a referral agency.

If an employee is referred to EAP by the Employer, the employee may be required to participate in the program(s) referred to.

Tobacco-Use Cessation Programs:

Cessation programs and Assistance are available as follows

Rhode Island Assistance Services Telephone: 1-800-445-1195

1-800-TRYTOSTOP Telephone: 1-800-879 86 78

TTY 1-800-TDD (833) 1477

Spanish: 1-800-DEJALO 1-800-833-5256

<http://www.trytostop.org>

Tri-Town Community Actions Telephone 351-2750

Rhode Island Department of Health Telephone 401-222-2231

TTY 711

Spanish: ¡Ya No Fumo! 401-728-5920

Center of Disease Control www.cdc.gov/tobacco

Rules and Regulations Pertaining to Smoke-Free Public Places and Workplaces

[R23-20.10 SMOKE]

Public Place or Workplace Smoking Complaint Form

Date Filed: _____

I. FACILITY/LOCATION INFORMATION

A. Location/address of smoking violation. [Please provide facility name if known.]:

B. Source(s) of smoking violation. [Please check all that apply.]:

Employee(s)/worker(s) Customer(s)/visitor(s) Unknown/not sure
 Other (specify) _____

C. Date/time of smoking violation:

D. **No Smoking or Smoking Prohibited** signs were posted in or near the location of the smoking violation

Yes No Unknown/not sure

E. Please provide a brief description of smoking violation. Please include the name of any supervisor/individual in charge that you spoke with concerning the smoking violation:

F. If this is a complaint about a smoking violation in your workplace, please also provide the name/title/position and phone number (if known) of the official in charge of smoking policy for your workplace:

II. COMPLAINANT INFORMATION

A. Please identify your status with regard to the location of the smoking violation:

___ Employee/worker ___ Customer ___ Visitor

___ Other (specify) _____

B. Name, signature, address and phone number of person making complaint:

Signature _____

Printed Name _____

Address _____

Phone Number _____ Best time to call _____

C. Other name(s) and signature of complainants [OPTIONAL]:

SIGNATURE

PRINTED NAME

Please return this form to:

Robert R. Vanderslice, Ph.D.
Chief, Office of Environmental Health Risk Assessment
Rhode Island Department of Health
3 Capitol Hill, Room 201
Providence, RI 02908-5097

REFERENCES

Rules and Regulations for School Health Programs

Rhode Island General Laws R16-21-SCHO

Chapter 23-20.6 Smoking in Public Places

Chapter 23-20.7 Workplace Smoking Pollution Control Act

Chapter 23-20.9 Smoking in Schools

State of Rhode Island General Laws

Title 23 Health and Safety Chapter 23-20.6 Smoking in Public Places
Section 23-20.6-1

Title 23 Health and Safety Chapter 23-20.6 Smoking in Public Places
Section 23-20.6-2

Title 23 Health and Safety Chapter 23-20.6 Smoking in Public Places
Section 23-20.6-3

Title 23 Health and Safety Chapter 23-20.6 Smoking in Public Places
Section 23-20.6-4

Title 23 Health and Safety Chapter 23-20.7 Workplace Smoking Pollution
Control Act
Section 23-20.7-1

Title 23 Health and Safety Chapter 23-20.7 Workplace Smoking Pollution
Control Act
Section 23-20.7-4

Title 23 Health and Safety Chapter 23-20.7 Workplace Smoking Pollution
Control Act
Section 23-20.7-5

Title 23 Health and Safety Chapter 23-20.9 Smoking in Schools
Section 23-20.9-4

Rhode Island Department of Health

Division of Disease Prevention & Control: Tobacco Control Program

Environmental Health Risk Assessment

Morris M. Bochner letter dated January 17, 2005 and response letter dated
February 9, 2005.

Center of Disease Control

Environmental Protective Agency-Tools for Schools