

## **Tobacco-Free BOCES**

To promote the general health, welfare and well-being of staff, smoking, chewing, or any other use of any tobacco product by staff and members of the public is prohibited on all BOCES property.

For purposes of this policy, the following definitions apply:

1. "BOCES property" means all property owned, leased, rented or otherwise used or contracted for by the BOCES including but not limited to the following:
  - a. All indoor facilities and interior portions of any BOCES building or other structure.
  - b. All BOCES grounds over which the BOCES exercises control including areas surrounding any building and parking areas.
  - c. All vehicles used by the BOCES for transporting staff, visitors or other persons.
  - d. At a BOCES-sanctioned activity or event.
  
2. "Tobacco product" means:
  - a. Any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or liquid nicotine/e-liquids; and
  - b. Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.
  - c. "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.
  
3. "Use" means lighting, chewing, smoking, ingesting, inhaling, vaping, or application of any tobacco product.

Signs will be posted in prominent places on all BOCES property to notify the public that smoking or other use of tobacco products is prohibited in accordance with BOCES policy. This policy will be published in all employee handbooks, posted on bulletin boards and announced in staff meetings.

Any member of the general public considered by the Executive Director or designee to be in violation of this policy will be instructed to leave BOCES property. Employees found to be in violation of this policy will be subject to appropriate disciplinary action.

### **EAST CENTRAL BOCES BOARD POLICY**

Adopted: June 18, 2014

Revised: August 26, 2020

LEGAL REFS.: 20 U.S.C. 7971 et seq. (*prohibits smoking in any indoor facility used to provide educational services to children*)  
C.R.S. 18-13-121 (*furnishing tobacco products to persons under 21 years old*)  
C.R.S. 22-32-109 (1)(bb) (*policy required prohibiting use of tobacco products on school grounds*)  
C.R.S. 22-32-109.1 (2)(a)(I)(H) (*policy required as part of safe schools plan*)  
C.R.S. 25-14-103.5 (*tobacco use prohibited on school property*)  
C.R.S. 25-14-301 (*Teen Tobacco Use Prevention Act*)

CROSS REFS.: KFA, Public Conduct on School Property

[CASB Revised August 2020]