**Policy Booster: Broaden Tobacco References to Include Nicotine in School Policies and Regulations**

The Iowa Department of Public Health’s (IDPH) 2018 Iowa Youth Survey (IYS) included 70,451 students representing 68% of Iowa’s 330 public school districts. The survey is conducted with Iowa public and private students in grades 6, 8, and 11. The findings showed tobacco use appears similar to other substance use, remaining stable or declining from previous surveys. The exception to this is e-cigarettes. Almost one-quarter of 11th grade students (23 percent) reported use of e-cigarettes in the past month on the 2018 IYS, along with 8 percent of eighth graders and 2 percent of sixth graders. To view the 2018 report and other information about the IYS, visit [www.iowayouthsurvey.iowa.gov/](http://www.iowayouthsurvey.iowa.gov/).

With this expansion of vaping/e-cigarette use and the ability of students to avoid detection, it’s more important than ever that policies and regulations are updated to specifically mention nicotine. There is no state or federal mandate to update your board policies, but it is best practice. In the ISFIS Starter Policy Manual, eight policies and two regulations have been updated to reference nicotine. You can access those policies via the ISFIS policy web site here <https://www.iowaschoolfinance.com/policy_starter> You can download a printable version or simply type the word “nicotine” in the search box to see them all listed. The following policies have been so updated:

424 - Use of ~~Tobacco~~ Nicotine Products by Employees

501 - Student Code of Conduct

540 - Student Appearance

545 - Search and Seizure

550.1 - Co-Curricular Activities Regulations

612 - Health Education

721 - Transportation of Non-School Groups

721.1 - Agreement for use of School Buses

909 - Use of School District Facilities Regulation

911 - ~~Tobacco~~Nicotine-Free Environment

In addition, a draft of a sample controlled substances, nicotine and alcohol policy is attached for your reference. Contact margaret@iowaschoolfinance.com with questions.

***The “dot your I’s and cross your T’s” disclaimer:*** *This Policy Booster is not a substitute for legal advice, but rather, the impetus to get the local ball rolling. Check with your local school attorney and consider the impact this policy will have on other policies, handbooks, bargaining agreements, administrative procedures and forms in the district.*

**564 Possession or Use of Controlled Substances, Alcohol, and/or Nicotine**

As an educational institution, the District seeks to educatestudents in the dangers associated with the useof alcohol, nicotine, and other drugs. The Board believes such materials and substances generally cause material and substantial disruption to the school environment and/or present a threat to the health and safety of students, employees or visitors. Hence, the following shall be regarded as serious violations of the school's disciplinary policy:

1. Sale, distribution, use, possession or being under the influence of tobacco, nicotine or devices that can be used to deliver nicotine, including, but not limited to electronic cigarettes and vaping devices on District property or at District sponsored or approvedevents off District grounds at any time, including official District events at other schools.
2. Sale, distribution, use, possession or being under the influence of alcohol on District property or at District sponsored or approved events off District grounds at any time, including official District events at other schools.
3. Sale, distribution, use, possession or being under the influence of illegal drugs or drug paraphernalia or the unauthorized sale, distribution, use, possession or being under the influence of otherwise lawful drugs on District property or at District sponsored or approvedevents off District grounds at any time, including official District events at other schools.
4. Sale, distribution, use, possession or being under the influence of a hazardous substance on District property or at District sponsored or approved events off District grounds at any time, including official District events at other schools.

Each violation of this policy shall be reviewed by the appropriate administrator within a reasonable time after the alleged violation. Both the student and the student’s parents shall have the opportunity to discuss the matter with the administrator before the administrator makes a decision.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of any products or devices containing nicotine for students under the age of eighteen, may be reported to the local law enforcement authorities. Possession, use or being under the influence of beer, wine, alcohol and/or of a controlled substance may also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the Board. If a student fails to satisfactorily complete a substance abuse assistance or rehabilitation program, the student may be subject to discipline including suspension or expulsion.

The Board believes the substance abuse prevention program will include:

* Age-appropriate, developmentally-based nicotine, alcohol, and controlled substances curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of the use of nicotine, alcohol, and controlled substances and which provide information about effective techniques for resisting peer pressure to use nicotine, alcohol, and controlled substances;
* A statement to students that the use of nicotine, alcohol, and controlled substances and the unlawful possession and use of nicotine, alcohol, and controlled substances is wrong and harmful;
* Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of nicotine, alcohol, and controlled substances by students on District premises or as part of any of its activities;
* A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;
* A statement that students may be required to successfully complete an appropriate rehabilitation program;
* Information about substance abuse counselling and rehabilitation and re-entry programs available to students;
* A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and
* Notification to parents and students that compliance with the standards of conduct is mandatory.