

GAN-R Employee Tobacco Use

9/14/16

RATIONALE/OBJECTIVE

Tobacco use has been determined by the Surgeon General as a health hazard. Furthermore the Cobb County School District (District) has determined that tobacco use is inconsistent with the concepts and principles taught through the curriculum of the District.

RULE**A. PROHIBITION:****1. Tobacco and use shall be prohibited at all times:**

- a. At all District sponsored events;
 - b. On/in all District property including all District buildings, offices and vehicles (including trucks, automobiles and buses) whether owned or leased by the District.
2. The use of electronic nicotine delivery systems (e.g. e-cigarettes, e-cigars, e-hookahs, e-pipes and other forms of what is commonly referred to as "vaping") shall be prohibited at all times.

B. STUDENTS:

Students should refer to the appropriate Student Code of Conduct (Administrative Rule JCDA-R).

C. NON-STUDENTS:

The same tobacco/vaping prohibition shall apply to employees, non-employees and visitors on District property. District employees shall be responsible for enforcing the provisions of this Rule and other regulations that may be developed concerning use of tobacco/vaping products on District property.

1. Employees:

Employee violations of this Rule shall result in:

- **1st Offense:** A letter of direction stating the date and place of violation from the immediate supervisor. The letter will be held at the school or job site.
- **2nd Offense:** Further disciplinary action which may include a suspension. This violation is considered an act of insubordination.
- **3rd Offense:** Additional disciplinary action taken which may include a recommendation for termination of employment.

2. Non-Employees:

Non-employees are defined as those who are assisting in a school or District activity. While doing so, they are not to use tobacco/vaping products. The following procedures shall be followed when non-employees are in violation of this Rule:

- a. The District employee conducting/supervising the activity shall ask the nonemployee to immediately cease the use of tobacco/vaping products.
- b. If the non-employee continues his/her use of tobacco/vaping products, the assistance of that individual will be terminated immediately and he/she will be treated as a visitor as provided below.

3. Visitors:

Visitors should not use tobacco/vaping products while on District property or attending school or District sponsored events. The following procedures shall be followed when visitors are in violation of this Rule:

- a. The visitor shall be requested to cease the use of tobacco/vaping products immediately.
- b. If the visitor continues his/her use of tobacco/vaping products, the District employee who is aware of the violation shall ask him/her to immediately leave District property.

- c. If the visitor continues his/her use of tobacco/vaping products and refuses the request to leave District property, then appropriate law enforcement agencies shall be notified and assistance requested.

Reclassified an Administrative Rule: 9/1/04

Revised: 5/14/08

Revised and Re-coded: 5/17/12 (previously coded as Administrative Rule ADC)

Revised: 7/1/13; 9/14/16

Legal Reference

O.C.G.A. 31-12A-3	Prohibition of Smoking in Facilities, Ga Smoke Free Air Act of 2005
O.C.G.A. 31-12A-5	Prohibition of Smoking in Classrooms, Ga Smoke Free Air Act of 2005
O.C.G.A. 31-12A-6	Exemptions; Ga Smoke Free Air Act of 2005
O.C.G.A. 31-12A-7	Posting No Smoking Signs, Ga Smoke Free Air Act of 2005
O.C.G.A. 31-12A-8	Removal of Ashtrays; Posting; Ga Smoke Free Air Act of 2005
O.C.G.A. 31-12A-11	Local Operating Procedures, Ga Smoke Free Air Act of 2005
O.C.G.A. 31-12A-12	Other Ordinances & Laws, Ga Smoke Free Air Act of 2005
O.C.G.A. 31-12A-1	Ga. Smoke Free Air Act of 2005
O.C.G.A. 31-12A-2	Definitions, Ga Smoke Free Air Act of 2005
20 USC 6081	Pro-Children Act of 1994 - Short title
20 USC 6082	Pro-Children Act of 1994 - Definitions
20 USC 6084	Pro-Children Act of 1994 - Preemption
20 USC 6083	Nonsmoking policy for children's services