

Smoking and Tobacco Use

Philosophy

SSD, which operates schools and educational programs for students from birth into adulthood, adopts the legislature's findings and determination that it is in the best interest of the people of this state to protect nonsmokers from involuntary exposure to secondhand smoke. SSD further finds and determines that our responsibility for the safety of our students, many of whom come to us with significant health impairments, outweighs any other interests related to smoking and tobacco use and necessitates a strict adherence to the Louisiana Smokefree Air Act, as well as Louisiana law governing smoking and tobacco use in schools. SSD adopts the purpose of the Louisiana Smokefree Air Act, in order to preserve and improve the health, comfort, and environment of our students, employees, and visitors.

Definitions

"School/School Property" includes:

- Any elementary or secondary school building, the campus of any school, any buildings on the campus, and all school buses
- School grounds, playgrounds, premises, and property, including but not limited to land, improvements, and school facilities located on the property of any elementary or secondary school, the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center, and schools in the Special School District
- A vehicle, including a charter or other rental vehicle, used by SSD for the provision of academic and extracurricular programs and administration, or to transport students for any reason

"Smoking" includes:

- Possession of a lighted cigar, cigarette, pipe, or any other lighted tobacco product or other form of smoking object or device, including but not limited to e-cigs, e-cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape mods
- Inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted combustible plant material

"Tobacco Use" means smoking, chewing, inhaling, ingesting, absorbing, or otherwise consuming any tobacco or tobacco product

Policy

- Smoking and tobacco use are prohibited in, at, or on school and/or school property.
- Smoking is prohibited within two hundred feet of the entrances, exits, or outdoor areas of any public or private elementary or secondary school.
- Smoking and tobacco use are prohibited even when students are not present.
- Smoking and tobacco use are prohibited when employees are responsible for students, even away from school.

Signs indicating the prohibitions on smoking and tobacco use will be posted on the campuses of the Louisiana Schools for the Deaf and Visually Impaired (LSDVI) and the Louisiana Special Education Center (LSEC) and in any area of other facilities that have been designated for use by SSD. Ashtrays will not be permitted at LSDVI or LSEC, or any area of other facilities that have been designated for use by SSD.

Violations

Employees are always subject to disciplinary action, or termination, for policy violations. In addition to employment action, SSD may impose a fine of up to \$200 for prohibited smoking or tobacco use, and the Louisiana Smokefree Air Act authorizes additional fines.

Reporting

No one who reports a violation of this policy, or any other provision of the Louisiana Smokefree Air Act, will face discrimination or retaliation for doing so. Discrimination or retaliation against anyone who reports a violation of this policy is a violation of this policy.

Exceptions

Employees in Special School Programs (SSP) who work in facilities not under the control of SSD are also bound by any applicable facility policy, in addition to this policy. SSP employees are encouraged to address any issues with another facility's policy with the Regional Coordinator or immediate supervisor.

Outreach teachers, or other employees who serve students in their homes or other facilities not controlled by SSD, who are exposed to second-hand smoke in the performance of their duties, should address their concerns with their immediate supervisor.

The two hundred foot prohibition does not apply to smoking by a person of the legal age within private property that is within the two hundred feet boundary or to smoking by a person of the legal age occupying a moving vehicle in which smoking is not prohibited that is traveling through an area within the two hundred feet boundary.

The prohibitions in this policy do not apply to a tobacco product that has been approved by USDA for sale as a tobacco cessation product and is marketed, sold, and used solely for that approved purpose.

References

Louisiana Smokefree Air Act, La. R.S. 40:1291.1, et seq.
La. R.S. 17:240