

# MORGAN COUNTY BOARD OF EDUCATION

## USE OF TOBACCO

Descriptor Code:  
JCBC

Issued Date:

10-04-99

The use of tobacco in any form is prohibited during school hours on school premises and school buses during transportation to and from school and school activities.<sup>1</sup>

Students shall not possess nor use tobacco products in any form on school premises or on school buses during school hours. To “possess” shall mean to have tobacco products on the person or in the vehicle or other areas in control of the individual, including one’s personal effects. To “use” shall mean any holding of lighted cigarette, cigar, or pipe, any inhaling of the smoke of tobacco, or any chewing or dipping of any tobacco product. “School hours” shall include the period of time beginning with the first bus pickup (or arrival of car riders) in the morning and ending with the last bus trip in the afternoon.

Any person who violates this policy shall be issued a citation by law enforcement officer or school principal who has evidence of the violation. The citation shall require the person to appear in the Morgan County Juvenile Court. At the time of issuance of the citation, the tobacco product shall be seized as contraband by the law enforcement officer or school principal.<sup>2</sup>

A violation of this policy shall be a civil offense, the penalty for which is a civil penalty of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). Upon its determination that the person has violated this policy, the Juvenile Court shall determine the amount of the civil penalty and shall order the destruction of the tobacco product. The Juvenile Court may in its discretion also impose community service work not to exceed fifty (50) hours for a second or subsequent violation within a one (1) year period.

Instructional programs designed to inform students about the hazards of tobacco use and counseling programs designed to discourage students from the use of tobacco shall be included in the curriculum of each school.

### Legal References

1. TCA 39-4-411,412
2. TCA 39-17-1505(b)