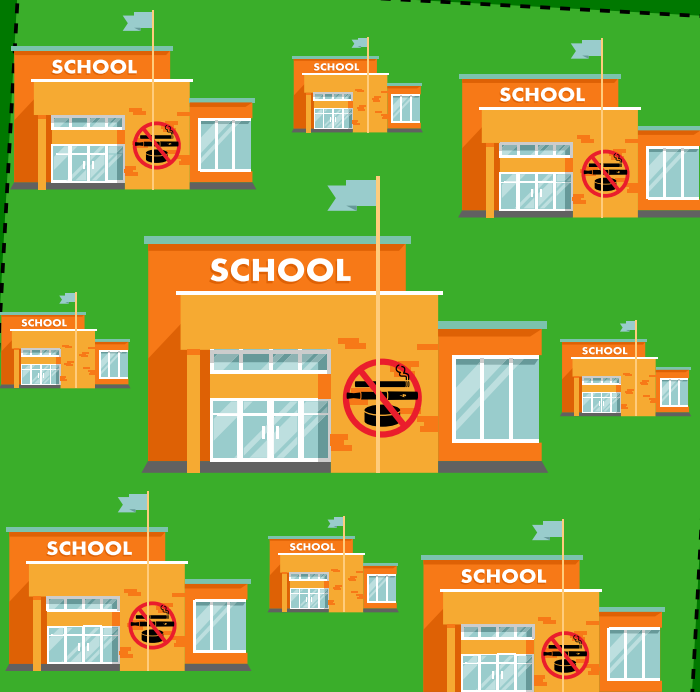




247
TWENTY-FOUR-SEVEN

MAKING NEW MEXICO SCHOOLS
100% NICOTINE-FREE

NICOTINE-FREE SCHOOLS TOOLKIT

This project is supported by New Mexico Department of Health with Tobacco Master Settlement Agreement Funds

247NEWMEXICO.COM

TABLE OF CONTENTS

SECTION 1: CAMPAIGN INTRODUCTION	3
SECTION 2: NEW MEXICO YOUTH TOBACCO & NICOTINE USE	5
SECTION 3: REASONS FOR 100% NICOTINE-FREE SCHOOLS	6
SECTION 4: START THE PROCESS	9
Road Map	9
Self-Reflection Questionnaire	10
Comprehensive Checklist	11
SECTION 5: MODEL NICOTINE POLICY LANGUAGE	12
Advocating for a Comprehensive Policy	16
SECTION 6: RESPONDING TO CHALLENGING QUESTIONS	17
SECTION 7: COMMUNICATION	18
Policy Promotion	18
Visitor Communication	19
Nicotine-Free School Signs	20
Sample Letter to Parents	21
Sample Staff Memo	23
Sample School-Sponsored Event Announcement	24
SECTION 8: COMPLIANCE & ENFORCEMENT	25
Progressive & Supportive Discipline for Students	26
Progressive Discipline for Visitors	27
Sample Statements for Visitors	28
Educational Interview Guide for Students	29
Progressive Discipline Assignments for Students	31
Getting Through the School Day Without Nicotine	32
SECTION 9: CESSATION RESOURCES & SUPPORT	34
SECTION 10: STUDENT EDUCATION RESOURCES	35
SECTION 11: RESPECTING CULTURAL DIFFERENCES	36
SECTION 12: RESOURCES	37
State Law - 6.12.4 NMAC, Tobacco, Alcohol and Drug Free Schools Rule	37
Data & Statistics Regarding Tobacco & Nicotine	40
Sources & More Information	41

SECTION 1: CAMPAIGN INTRODUCTION

THE 24/7 CAMPAIGN IS AN INITIATIVE TO HELP ALL SCHOOL DISTRICTS IN NEW MEXICO UNDERSTAND AND ADOPT COMPREHENSIVE NICOTINE-FREE POLICIES.



In addition, the campaign aims to support all school sites in implementing, communicating, and enforcing those nicotine-free policies. Comprehensive policies support a school environment that is truly free from tobacco products — including electronic cigarettes and liquid nicotine containers — 24 hours a day, 7 days a week. 24/7 helps school districts understand what the requirements are for a comprehensive nicotine-free policy; provides support for passing a new policy through the school board; and provides ongoing technical assistance to ensure schools are able to communicate and enforce their policy. The campaign is invested in helping every New Mexico school district protect its youth from the harms of tobacco and nicotine.

This toolkit contains resources to both help school districts understand and adopt comprehensive policies as well as resources to help individual school sites implement those policies to create truly nicotine-free environments.

For the full comprehensive policy checklist, see pages 11-12.

WHAT SETS 24/7 APART?

- Funded by the New Mexico **Department of Health** Nicotine Use, Prevention and Control program
- Policies reviewed and approved by the **Tobacco Control Legal Consortium**
- **Student-led** campaign efforts

This project is supported by New Mexico Department of Health with Tobacco Master Settlement Agreement Funds.

For any questions, please contact us at info@247newmexico.com or visit our website, 247newmexico.com.



@247newmexico

SECTION 1: CAMPAIGN INTRODUCTION



24/7 supports school administrators through the complete process of adopting and enforcing a nicotine-free policy at their school. The campaign is founded on the following six components that a school must have to create a nicotine-free environment: The 6 Cs.

COMMITMENT

to a truly nicotine-free environment: Starting with school administrators and continuing through school staff, parents and students, all parties must be onboard to comply with and enforce a nicotine-free policy.

COMPREHENSIVE NICOTINE-FREE POLICY:

Current New Mexico law requires every school to have a nicotine-free policy, but many policies have loopholes. A comprehensive policy means that every person on school grounds, including staff, parents and visitors, are included in the policy, and that not only the use but possession of all nicotine products — e-cigarettes included — is prohibited on school grounds and school property at all times. For more information about what qualifies as comprehensive, take a look at our comprehensive policy checklist.

COMMUNICATION:

When people know the rules, they are much more likely to comply with your new policy. Communicate your policy not only to students, but to parents, staff and visitors as well.

COMPLIANCE AND ENFORCEMENT:

A comprehensive nicotine-free policy details the consequences for first-, second- and third-time offenders to your school policy. It is up to school administration to make sure rules and consequences are consistently enforced. Mixed messages encourage people to test your policy.

CESSATION AND SUPPORT:

Schools must provide referrals to cessation support services to support nicotine users who need help quitting tobacco and nicotine.

CULTURAL COMPETENCY:

A nicotine-free policy must be aware of the diversity of New Mexico and how factors such as family income, gender, cultural traditions, and location contribute to nicotine use.

We also receive help from our amazing Evolvment students who lead the following activities in their school districts:

- Principal meetings
- Board meetings
- Events
- PR and earned media
- Faculty trainings
- Collecting research via surveys and support cards
- Spreading the word about the dangers of nicotine

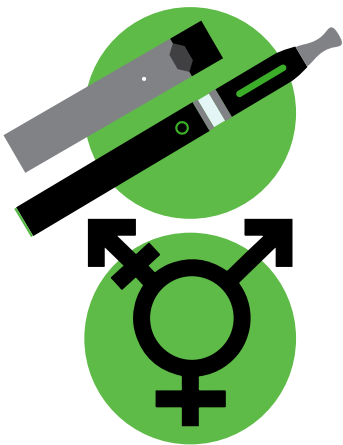
SECTION 2: NEW MEXICO YOUTH TOBACCO & NICOTINE USE



24/7
TWENTY-FOUR-SEVEN

**EACH YEAR,
APPROXIMATELY 600
YOUTH UNDER 18 YEARS
OLD WILL BECOME
NEW DAILY SMOKERS.¹**

**THE NUMBER OF NEW MEXICO YOUTH USING E-CIGARETTES HAS
BEEN HIGHER THAN THE NATIONAL AVERAGE SINCE 2009 AND IS
STEADILY INCREASING.^{2,3}**



**E-CIGARETTE USE IN NEW MEXICO AFFECTS
MORE MALES AND MORE HISPANICS THAN
FEMALES AND WHITE COMMUNITIES.⁵**

**THERE ARE MORE LGBTQ NEW MEXICO
YOUTH USING E-CIGARETTES THAN THOSE
WHO IDENTIFY AS HETEROSEXUAL/STRAIGHT.⁴**



**IT IS ESTIMATED THAT UPWARDS OF
40,000 NEW MEXICO RESIDENTS
WILL DIE PREMATURELY
OUT OF THE YOUTH UNDER 18 YEARS OLD THAT HAVE STARTED SMOKING.¹**

SECTION 3: REASONS FOR 100% NICOTINE-FREE SCHOOLS

1. IT'S THE LAW. NICOTINE-FREE SCHOOLS COMPLY WITH FEDERAL AND STATE REGULATIONS.

- The 1994 Federal Pro Children Act states: "No person shall permit smoking within any indoor facility utilized for services to kindergarten, elementary, or secondary education ... to children."
- New Mexico Administrative Code ruling 6.12.4 requires school boards to prohibit "the use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers at all times... in school buildings, on school premises and by students at school-sponsored activities away from school grounds." The rule also requires establishing provisions for the policy's enforcement and communication.

2. NICOTINE USE BY STUDENTS IS LINKED TO MANY HIGH-RISK BEHAVIORS THAT IMPACT ACHIEVEMENT AND GRADUATION.

Youth who use e-cigarettes are more likely to...

- Use other forms of nicotine
- Binge Drink
- Use painkillers to get high
- Earn low grades in school⁶

3. NICOTINE-FREE SCHOOLS CREATE HEALTHY LEARNING ENVIRONMENTS FOR YOUTH.

- Tobacco and nicotine use at school distracts from learning. Student nicotine use at school is linked to school failure and truancy.⁷
- Nicotine-free schools reinforce lessons learned in the classroom about health and prevention.

4. NICOTINE-FREE SCHOOLS ENSURE POSITIVE ROLE MODELING BY TEACHERS, COACHES, OTHER STAFF, VOLUNTEERS, VISITORS, AND PEERS.

- Students are more likely to smoke or vape in a location where they have seen other students and adults smoking. Nicotine-free schools allow every person the opportunity to learn positive behaviors from their peers and role models.⁸
- A nicotine-free school represents a firm commitment by the school administration and staff to prohibit nicotine use by students, employees, and visitors.

5. 26% OF NEW MEXICO HIGH SCHOOL YOUTH REPORT CURRENT VAPING.

- In 2021, 25.5% of New Mexico high school youth reported current vape use.¹⁰

26%

OF NEW MEXICAN HIGH SCHOOL
YOUTH REPORT CURRENT VAPING

6. 37% OF NEW MEXICO HIGH SCHOOL YOUTH REPORT EVER VAPING.

- In 2023, 36.9% of New Mexico high school students reported ever using e-cigarettes.³

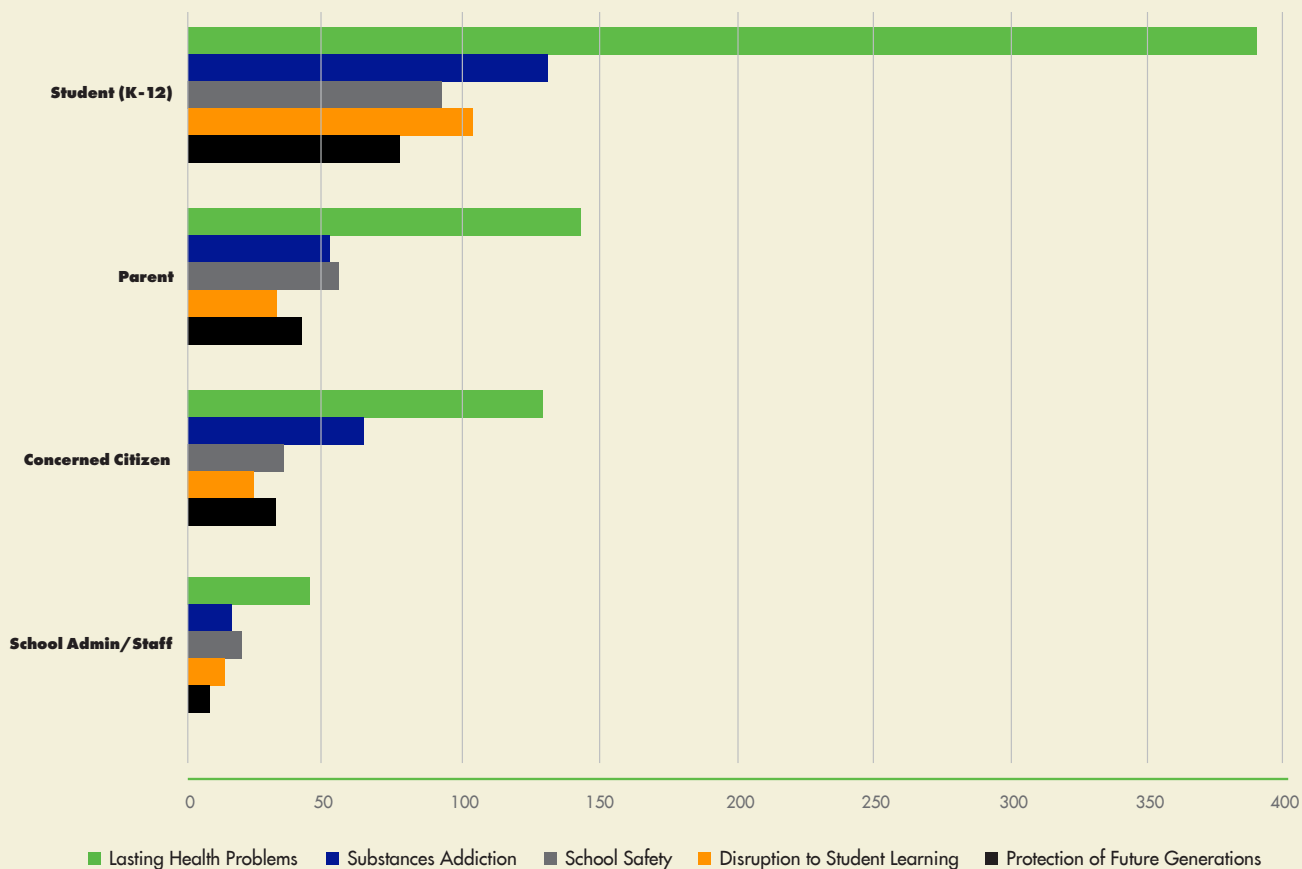
37%

OF NEW MEXICAN HIGH SCHOOL
YOUTH REPORT EVER VAPING

SECTION 3: REASONS FOR 100% NICOTINE-FREE SCHOOLS

New Mexico citizens shared with us why they support 100% nicotine-free school policies.*

The graph below demonstrates the top priorities amongst the students, parents, concerned citizens and school faculty that responded.



This is what students had to say about why they want stronger nicotine policies for their school:

“

I believe schools should be 100% tobacco free because it will encourage people to quit and to show you don't need to smoke to be 'cool' or to 'fit in'.

”

- Gracie, Student at Tucumcari Public Schools

“

Students in the hands of tobacco companies only feed the companies more and make them stronger and leave students or kids hurting, while they walk away richer. That's why I believe it's up to us to put a stop to it and make sure schools are taking proper measures against tobacco to protect our future youth and make sure tobacco companies don't do this again.

”

- Darien, Student at Los Lunas Public Schools

“

I wish everyone would stop coming up to me and asking me to use tobacco.

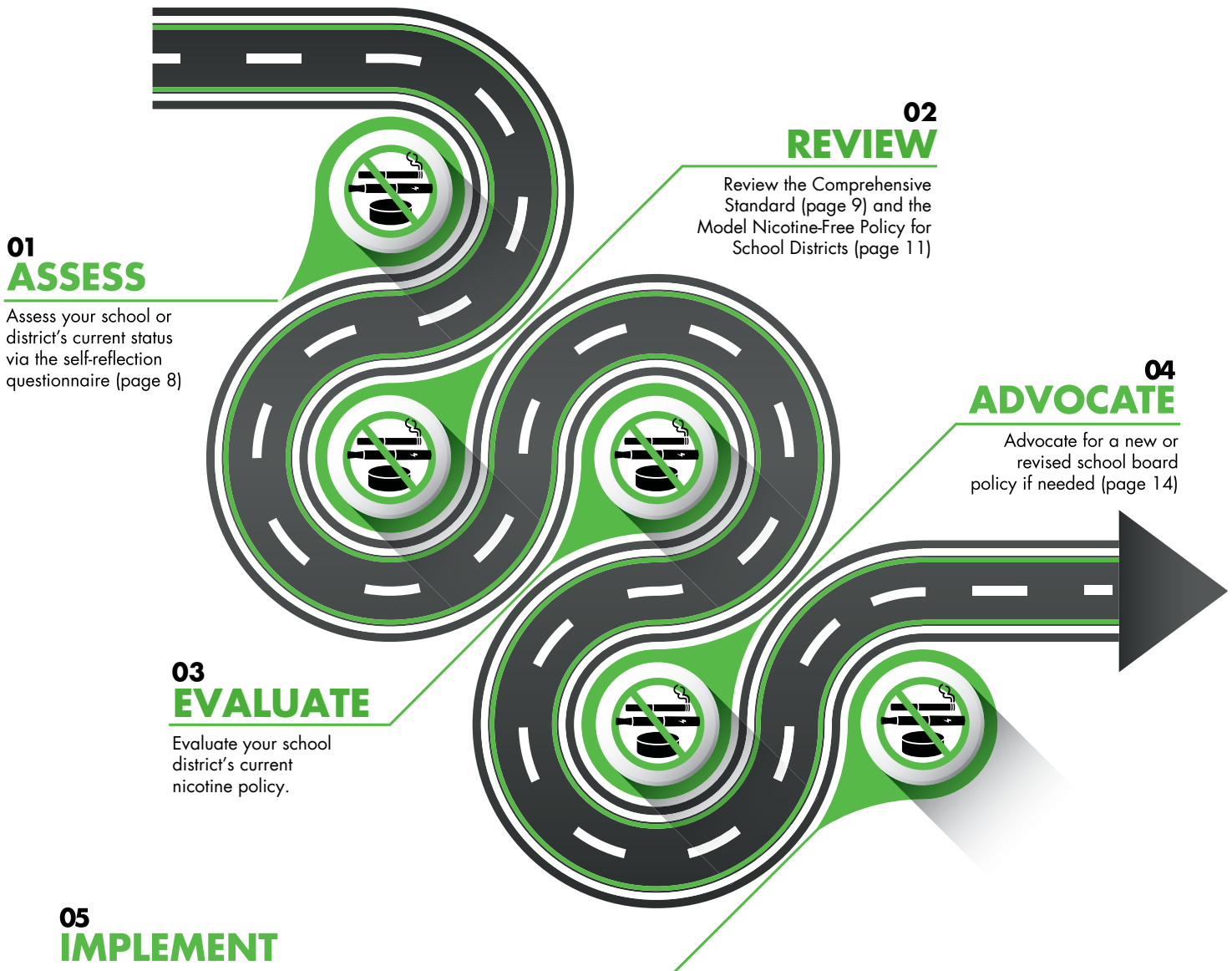
”

- Irma, Student at Albuquerque Public Schools

*Participants were surveyed in the 2020-2021 school year.

SECTION 4: **START THE PROCESS**

A ROAD MAP TO ACHIEVING NICOTINE-FREE SCHOOLS



Implement your school's comprehensive nicotine-free policy:

- Communication: When people know the rules, they are much more likely to comply with your new policy (see page 16).
- Compliance and Enforcement: It is up to school administration and staff to make sure that rules and consequences are consistently enforced (see page 24).
- Cessation Support: Schools must provide referrals to cessation support services to support nicotine users who need help quitting nicotine (see page 35).
- Cultural Competency: A nicotine-free policy must be aware of the diversity of New Mexico and how factors such as family income, gender, cultural traditions, and location contribute to nicotine use (see page 36).

SECTION 4: START THE PROCESS

SELF-REFLECTION QUESTIONNAIRE

	Not really	A little	Somewhat	Pretty much	Very much
1. Our principal and other administrators are very committed to creating a truly nicotine-free school environment.					
2. Use of nicotine in our school, on school grounds and property, and at school events occurs very seldom.					
3. Our administrators, staff, students, parents and visitors are aware of our nicotine-free school policy.					
4. Our nicotine-free policy is comprehensive and clear.					
5. All staff members report all nicotine policy violations they observe.					
6. We have a designated administrator to handle reports of nicotine-free policy violations.					
7. We have a progressive discipline policy in place for students who violate the nicotine-free policy, saving out-of-school suspension for repeat violators.					
8. We are aware of youth-oriented nicotine cessation services and refer students who use nicotine to them.					
9. We educate and support students and staff members to quit using nicotine.					
10. Our school considers cultural, language, socioeconomic and other differences in the ways we implement the policy.					
11. We ban electronic cigarettes, vapes and pouches and treat them the same as other tobacco products, including confiscation and disposal.					

SECTION 4: START THE PROCESS

24/7 COMPREHENSIVE POLICY STANDARD CHECKLIST (PART 1)

The New Mexico Department of Health Nicotine Use Prevention and Control Program promotes a **Comprehensive Policy Standard**. Below is a checklist that outlines the criteria for a school district policy that meets these standards.

REQUIREMENTS FOR MEETING THE COMPREHENSIVE POLICY STANDARD

- ☐ Prohibits the **use, possession** and **distribution** of nicotine products, e-cigarettes and liquid nicotine containers by anyone (students, staff and visitors) in school property and on school premises **24 hours a day, 7 days a week**.
 - School property includes any building, structure or vehicle owned, leased or contracted by the district.
 - School premises means any property surrounding buildings or structures, athletic grounds, parking lots or any other outdoor property owned, leased or contracted by the district.
- ☐ Prohibits the **use** and **distribution** of nicotine products, e-cigarettes and liquid nicotine containers by staff, visitors/chaperones at school-sponsored activities away from school grounds, and prohibits the **use, possession** and **distribution** of nicotine products, e-cigarettes and liquid nicotine containers by students at school-sponsored activities away from school grounds.
- ☐ Explicitly states that it covers **all nicotine products**, e-cigarettes and liquid nicotine containers.
- ☐ Prohibits either all commercial advertising or **nicotine advertising**. Having a separate policy in place (not part of the nicotine-free policy) prohibiting all commercial advertising fulfills this requirement.
- ☐ Requires **nicotine-free signs** to be posted and requires schools to notify students, staff and visitors of the tobacco-free policy.
- ☐ Specify that schools must provide **referrals to cessation resources** to help students and staff overcome nicotine addiction.
- ☐ Requires **enforcement** and enumerates specific possible sanctions or disciplinary actions, including **progressive and supportive (non-punitive) options**.

DID YOUR DISTRICT POLICY CHECK OFF ALL OF THESE ITEMS?

Contact us at info@247NewMexico.com for recognition as a 100% nicotine-free district and receive our free resources!

IF YOUR POLICY CHECKED OFF ON MOST BUT NOT ALL OF THESE REQUIREMENTS, CAN IT STILL BE CONSIDERED COMPREHENSIVE?

Unfortunately, no. All of these standards must be met in order to guarantee a truly nicotine-free school district. Our standards are high for a reason - we want no loopholes that could allow nicotine or tobacco to be brought in and negatively impact youth in any way.

SECTION 4: START THE PROCESS

24/7 COMPREHENSIVE POLICY STANDARD CHECKLIST (PART 2)

Although the components in Part 1 on the previous page are required in order for a school district policy to be comprehensive, the following items do not have to be in place but are strongly encouraged for ease of communication, compliance and enforcement.

- ☐ Extend ban on possession to all parties (including staff and visitors) everywhere, including school-sponsored activities away from school grounds.
- ☐ Require schools to notify students, parents/guardians, staff, contractors, and other school visitors annually of the nicotine-free policy in written materials, including, but not limited to, handbooks, manuals, contracts, newspapers, websites and newsletters.
- ☐ Require schools to make nicotine-free announcements at school sporting events.
- ☐ Include lookalikes (such as candy cigarettes) in the definition of products covered by the ban.
- ☐ Utilize tracking and evaluation (reviewing district results of biennial New Mexico Youth Risk and Resiliency surveys to determine impact on nicotine-related attitudes and behaviors; tracking student violations and utilizing the data to plan appropriate prevention and enforcement efforts; reviewing the nicotine-free policy on an annual basis).
- ☐ Require nicotine education for students.
- ☐ Require staff training.

SECTION 5: MODEL NICOTINE POLICY LANGUAGE

MODEL POLICY - NICOTINE USE BY STUDENTS

NICOTINE USE BY STUDENTS

The Board recognizes that the use of tobacco and nicotine products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The Board believes that the use of nicotine products on school grounds, in school buildings, on school property or at school-sponsored events is detrimental to the health and safety of students, staff and visitors.

The Board acknowledges that adult employees and visitors serve as role models for students. The Board recognizes it has an obligation to promote positive role models in schools and to promote a healthy learning and working environment, free from unwanted smoke and nicotine use, for students, employees, and visitors on the school campus.

The use, possession and distribution of all tobacco and nicotine products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs are prohibited in all district property and premises owned, leased or contracted by the district including:

- School grounds, including athletic fields and other outdoor property
- School buildings
- School parking lots
- School buses and other district vehicles
- Off-campus school sponsored-events.
- Administrative offices and other district owned, non-school sites These activities are prohibited at any time, including non-school hours (24/7).

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.1 through

6.12.4.9. In addition, products designed or manufactured to imitate the products included in the definitions are prohibited, regardless of whether they contain tobacco or nicotine.

COMMUNICATION

The administration will develop a communication plan about the policy and enforcement procedures including information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage that contains a listing of prohibited nicotine products posted in buildings and on school property in a manner and location that adequately notify students, staff and visitors including at the entrance to school buildings and athletic events.

REPORTING AND ENFORCEMENT

The Superintendent may establish procedures necessary to implement this policy. Progressive and supportive disciplinary action will be used, beginning with supportive options to promote positive student outcomes such as nicotine education or referral to counseling, parent conferences and school or community service. Referrals to resources to help students overcome nicotine addictions shall be provided when developmentally appropriate. Disciplinary penalties may ultimately include suspension of the student from school or a recommendation for expulsion when there is evidence of repeated and continuous violation of this policy. Parents/guardians will be notified of all violations and actions taken by the school.

SECTION 5: MODEL NICOTINE POLICY LANGUAGE

All District employees are expected to cooperate in the enforcement of this policy. Student violations shall be reported to administrative personnel.

No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

PREVENTION EDUCATION

The administration will consult with appropriate health organizations to identify and provide annual programs or opportunities for students to gain a greater understanding of the health hazards of nicotine use and the impact of nicotine use as it relates to providing a safe, orderly, clean and inviting school environment.

TRACKING AND EVALUATION

The district will monitor enforcement of the policy and the impact on student nicotine use by reviewing results of the biannual New Mexico Youth Risk and Resiliency Survey, tracking student violations and utilizing data to plan appropriate prevention and enforcement efforts. A review of the policy and related procedures will be conducted annually.

EXCEPTION: Lawful possession or use by a minor of a nicotine-cessation product approved by the United States food and drug administration shall be permitted by students following district policies for student self-administration of medications.

LEGAL REF:

24-16-3 *et seq.* NMSA *Dee Johnson Clean Air Act*

6.12.4.8 NMAC

1994 *Op. Att'y Gen. No. 94-03, 1994 N.M. AG LEXIS 4.*

20 U.S.C. 6083 *Pro-Children Act of 1994 (Environmental Tobacco Smoke).* 34 C.F.R. Part 85 *Drug Free Workplace Act*

MODEL POLICY - NICOTINE USE BY STAFF MEMBERS / SMOKING

NICOTINE USE BY STAFF MEMBERS / SMOKING

The use, possession and distribution of all tobacco and nicotine products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs are prohibited in all district property and premises owned, leased or contracted by the district including:

- School grounds, including athletic fields and other outdoor property
- School buildings
- School parking lots
- School buses and other district vehicles
- Off-campus school sponsored-events.
- Administrative offices and other district owned, non-school sites These activities are prohibited at any time, including non-school hours (24/7).

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.1 through 6.12.4.9. In addition, products designed or manufactured to imitate the products included in the definitions are prohibited, regardless of whether they contain tobacco or nicotine.

SECTION 5: MODEL NICOTINE POLICY LANGUAGE

The administration will develop a communication plan including information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage that contains a listing of prohibited items posted in buildings and on school property in a manner and location that adequately notify students, staff and visitors including at the entrance to school buildings and athletic events

The Superintendent may establish procedures necessary to implement this policy. Disciplinary penalties may be imposed in accord with policies of the District regarding employee conduct and disciplinary actions.

Referrals to resources to help staff overcome nicotine addictions shall be provided to staff who are found to be in violation of this policy.

The Superintendent may establish procedures for employees to receive training in the provisions of this policy, existing and emerging tobacco and nicotine products, trends in youth nicotine use, prevention education and cessation support on an annual basis.

The prohibitions do not apply to an adult when possession or use of the nicotine products are for demonstration purposes as a necessary instructional component of a nicotine prevention or cessation program that is:

- Approved by the school.
- Established in accord with the New Mexico Revised Statute.

LEGAL REF.:

24-16-3 et seq. NMSA Dee Johnson Clean Air Act

6.12.4.8 NMAC

1994 Op. Att’y Gen. No. 94-03, 1994 N.M. AG LEXIS 4.

20 U.S.C. 6083 Pro-Children Act of 1994 (Environmental Tobacco Smoke). 34 C.F.R. Part 85 Drug Free Workplace Act

MODEL POLICY - NICOTINE USE / SMOKING ON SCHOOL PREMISES

NICOTINE USE / SMOKING ON SCHOOL PREMISES

The use, possession and distribution of all tobacco and nicotine products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs are prohibited in all district property and premises owned, leased or contracted by the district including:

- School grounds, including athletic fields and other outdoor property
- School buildings
- School parking lots
- School buses and other district vehicles
- Off-campus school sponsored-events
- Administrative offices and other district owned, non-school sites.

These activities are prohibited at any time, including non-school hours (24/7).

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.1 through 6.12.4.9. In addition, products designed or manufactured to imitate the products included in the definitions are prohibited, regardless of whether they contain tobacco or nicotine.

SECTION 5: MODEL NICOTINE POLICY LANGUAGE

The administration will develop a communication plan including information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage that contains a listing of prohibited items posted in buildings and on school property in a manner and location that adequately notify students, staff and visitors including at the entrance to school buildings and athletic events. Students, parents/guardians, staff, contractors and school volunteers will be notified annually of this policy in written materials, including but not limited to handbooks, manuals, contracts, newspapers and newsletters.

All District employees are expected to cooperate in the enforcement of this policy. Members of the public using or blatantly flaunting prohibited products on school premises and failing to respond to a verbal warning shall be requested to leave the premises by school supervisory personnel in accord with laws on trespass. Law enforcement may be notified to assist with enforcement.

No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

The prohibitions do not apply to an adult when possession or use of the prohibited products are for demonstration purposes as a necessary instructional component of a nicotine prevention or cessation program that is approved by the school.

Tobacco and nicotine advertising is prohibited anywhere on school grounds.

LEGAL REF.:

24-16-3 et seq. NMSA Deed Johnson Clean Air Act

6.11.2.9 NMAC

6.12.4.8 NMAC

1994 Op. Att'y Gen. No. 94-03, 1994 N.M. AG LEXIS 4.20 U.S.C. 6083 Pro-Children Act of 1994 (Environmental Tobacco Smoke). 34 C.F.R. Part 85 Drug Free Workplace Act

SECTION 5: MODEL NICOTINE POLICY LANGUAGE

ADVOCATING FOR A COMPREHENSIVE POLICY

Once you've reviewed the Comprehensive Standard checklist on pages 11-12, and the model nicotine-free policy on pages 13-16, it's time to take a look at your school district's policy to see how it compares. We can provide you with a copy of your district's current policy and an analysis of the components it is missing to meet the comprehensive standard. We are here to help you advocate for and adopt a comprehensive nicotine-free school policy. The 24/7 campaign is working to increase commitment to nicotine-free schools all across New Mexico, and has been meeting with principals and school boards in the process. We may already be working in your district!

STEP 1: GET COMMITMENT

- Engage other school champions, including school staff (e.g., health teachers, coaches, nurses) and student leaders who are concerned about the nicotine policy.
- Attend a public school board meeting to speak about the district's current policy and the need for a comprehensive policy. After your initial public commentary, talk with supportive or interested school board members one-on-one.

STEP 2: DRAFT REVISIONS TO THE POLICY

- Using the Comprehensive Standard and Model Policy in this toolkit, draft a revised policy.

STEP 3: PRESENT A COMPREHENSIVE POLICY TO THE SCHOOL BOARD

- Submit the proposed policy for the school board agenda. The process for this will vary by district, and will often require working with a member of the school board or the district administration.
- Plan to speak at any school board meetings where the policy will be introduced, read, or voted on.
- Keep following up until the policy passes!

A STRONG PRESENTATION TO THE SCHOOL BOARD SHOULD INCLUDE:

- Reasons why a comprehensive nicotine-free policy at the district level is important.
- Explanation of what a comprehensive policy entails and where your district's policy falls short.
- Presentations by students about the importance of a tobacco and nicotine-free environment, and similar presentations by teachers, staff, and administrators.
- Readiness to address any common objections or concerns that may arise around communication and enforcement of the policy.

STEP 4: PLAN FOR IMPLEMENTATION AND ENFORCEMENT

- Select an official implementation date.
- Communicate the new policy and its effective date to school administrators and staff.
- Organize staff training in enforcement strategies (contact the 24/7 campaign for help).

STEP 5: IMPLEMENT THE POLICY

- Recognize that consistent communication and enforcement is necessary to ensure effective policy implementation and compliance.
- Communicate the policy throughout the school and community (see pages 19-25 for communication resources).
- Use educational programs instead of punitive approaches for students who violate the policy (see page 27).
- Provide referrals to resources to help students and staff overcome nicotine addiction (see pages 38-39 for resources).

STEP 6: CONDUCT ONGOING ADVOCACY & EVALUATION OF POLICY

- Collect success stories from students, staff, and parents.
- Identify problems with policy implementation, and make necessary corrections. Contact the 24/7 campaign for help conducting an annual assessment of your policy's implementation.

SECTION 6: RESPOND TO CHALLENGING QUESTIONS

QUESTION 1: WHY DOES THE POLICY HAVE TO COVER ALL SCHOOL PROPERTY, NOT JUST INDOORS?

- Students are aware of what happens on school property and the use of nicotine products anywhere on the school campus reinforces and normalizes nicotine use.
- Tobacco and e-cigarette use on school grounds and off-site school-sponsored events allows students to see role models, such as teachers, using products at school.
- Secondhand smoke, even outdoors, can trigger harmful physical reactions for people with asthma, allergies, and other health conditions.
- Nicotine-free schools prepare students for the increasing number of places with nicotine-free campuses, such as colleges, hospitals, workplaces, and public transportation.

QUESTION 2: WHY STAFF AND NOT JUST STUDENTS?

- Teachers and other staff are powerful role models for students.
- Youth who don't see nicotine use are less likely to think the behavior is acceptable and are less likely to start using nicotine products.

QUESTION 3: WHY ATHLETIC EVENTS?

- Nicotine use has been historically promoted by the nicotine industry through sporting events such as baseball, rodeo, and football. Refraining from nicotine use at school athletic events supports a healthy environment for everyone and helps de-normalize nicotine use.
- The majority of event attendees appreciate knowing they will not be exposed to secondhand smoke or vapor in the stands.

QUESTION 4: HOW ARE WE GOING TO GET PEOPLE TO COMPLY WITH THIS POLICY?

- Communication is key. Most people will comply with the policy if they know it exists. Keep reading this section of the toolkit for communication strategies and resources.
- Enforce the policy. When enforcement is consistent, people are much more likely to comply (see page 26 for compliance and enforcement resources).

QUESTION 5: WHY DOES IT HAVE TO INCLUDE VISITORS, CONTRACTORS, CONSTRUCTION CREWS, AND MAINTENANCE, AND HOW CAN WE GET THEM TO COMPLY?

- Allowing any service provider or visitor an exception to the policy creates a mixed message.
- Ensure compliance with the nicotine-free policy in the same way that other policies are enforced, such as those prohibiting the use of alcohol or firearms.
- Maintenance staff members are an important part of the school staff. Their support of student health and respect for school policies is essential for nicotine-free schools.

QUESTION 6: WHAT ABOUT NICOTINE-FREE E-CIGARETTES?

- E-cigarette possession and use is against school policy, regardless of whether the liquid used in the device contains nicotine.
- E-cigarettes model nicotine/tobacco use for youth, with or without nicotine.
- Staff cannot definitively determine whether an e-cigarette contains nicotine or possibly other chemicals (such as THC).
- The health risks associated with the use of e-cigarettes and the associated aerosol (aka vapor) have not yet proven to be safe; therefore e-cigarettes are not part of a truly nicotine-free school.

SECTION 7: COMMUNICATION

PROMOTING YOUR NICOTINE-FREE POLICY

In order to comply with a policy, people need to be aware of it. Students, staff, parents, and the community are all impacted by a nicotine-free school policy. Therefore, each of these audiences needs to understand the policy. There are many ways to effectively communicate positive messages about the nicotine-free policy. Aim for clear, positive messages that motivate people to comply. Here are some suggestions on ways to thoroughly communicate your policy in order of importance.

- **SIGNAGE:** One of our policy requirements is to post nicotine-free school signs at all entrances to school buildings, school grounds, parking lots, athletic facilities, as well as in the school building, school vehicles and buses. We provide these for FREE - so please don't hesitate to ask! See page 21 for information on how to request signs for your school.
- **DISTRICT WEBSITE:** Post the full district policy on the website for anyone to access and view in its entirety. If you'd like to also highlight the nicotine-free policy separately, include an image of one of our nicotine-free signs so that people are familiar with the message.
- **STAFF EDUCATION AND TRAINING:** Discuss the policy at staff meetings and new staff orientations. Provide annual training on tobacco, nicotine and e-cigarette-related school policies for all staff, including teachers, administrators, bus drivers, aides, food service workers, and maintenance staff. 24/7 has a Faculty Training Video and accompanying worksheets that we provide for FREE to any interested school who wants to have an official policy training.
- **HARD COPY OF NICOTINE POLICY:** As part of our policy recommendations, we highly encourage districts to provide students, staff and visitors with a hard copy of the nicotine policy each school year or when visiting so that there can be no claims of ignorance regarding the 100% nicotine-free standards.
- **STUDENT EDUCATION:** Clear expectations help everyone follow the rules. At the start of each school year, during school-wide or grade-level assemblies or in a specific class, all school rules should be reviewed, including policies about tobacco, e-cigarettes and nicotine products. But discussing rules is not the only essential, education about the harmful effects tobacco and nicotine use within the classroom can successfully prevent students from ever starting to use them in the first place. We offer referrals to external education programs on page 39.
- **PARENT LETTERS/CALLS:** Send a letter, email or automated phone call to each parent or guardian explaining the policy, providing the health, academic, and social reasons; outlining the consequences for violators; and requesting support in enforcement with students and visitors. We provide language for this type of communication on pages 22-23.
- **STAFF MEMO OR EMAIL:** Inform school staff – or remind them throughout the year – about the policy and enforcement via an official memo or email. Inform vendors who provide supplies, materials, and services on a regular basis to the school about the policy via an official memo. We provide a memo template on page 24.
- **COMMUNICATE ABOUT VIOLATIONS:** Call or meet with parents if a student violates the policy. Send a letter home with a summary of the policy, details of their student's policy violation, and consequences of this and future violations. If a staff member or visitor violates the policy, meet with them as well with a copy of the policy and hold them accountable to the standards set.

SECTION 7: COMMUNICATION

- **IN-SCHOOL STUDENT ANNOUNCEMENTS:** Ask students to read daily announcements. Involve student groups or clubs in developing and delivering these announcements about the policy.
- **EVENT ANNOUNCEMENTS:** In just a few seconds, you can announce the policy at athletic events, meetings, concerts and plays. Involve student groups or clubs in developing and delivering these announcements. Include a mention of the nicotine-free campus policy in event bulletins/flyers. Sample messaging for these announcements are provided on page 25.
- **SOCIAL MEDIA:** Social accounts are sometimes the first place school communities go to check for daily updates about their campus. Create brief messages with policy reminders, especially for staff and adults. Consider including information about cessation resources as well as the rules.
- **STUDENT-DESIGNED PUBLICITY:** Ask student groups or classes to design posters, banners and signs to communicate the policy. Consider offering a prize for the best-designed piece that embodies the school's mindset on being 100% nicotine-free.
- **LOCAL NEWS COVERAGE:** Alert your local media outlets of your newly-adopted nicotine-free policy and include quotes from the board, administration and students on how important this policy is for health and wellness. You can even invite them to attend the board meeting where the policy will be officially voted in. Don't forget to let us know too as we'd love to celebrate with you! If you'd like assistance with developing an official press release, this is a service we offer for FREE to all districts that communicate with us about their intent to adopt the policy.

COMMUNICATION IS KEY!

TIPS FOR COMMUNICATING WITH VISITORS

Even with signs, written materials, and event announcements, some school visitors may not realize that the school district has a nicotine-free school policy in place. This is why all school staff should be trained to communicate the policy one-on-one to the public. Gentle, positive, and clear messages will let violators know that the policy is in place and that it will be enforced. Knowing how to effectively communicate the policy will go a long way toward relieving stress that school staff may have regarding enforcement and will help to avoid the negative confrontations with parents, workers, and other school visitors.

TIPS FOR VERBALLY COMMUNICATING THE POLICY

- **GENTLE REMINDERS:** Most of the time the person in violation of the policy is unaware that it is in place. This is particularly true if your school district recently strengthened its policy or enforcement of the policy. Politely and firmly let the violator know that the campus or school event – as well as the entire school district – is nicotine-free. Explain that the policy includes all tobacco and nicotine related products, including e-cigarettes.
- **A RATIONALE FOR THE POLICY:** Inform visitors of the reasons for the policy in a positive manner. Let them know that the school or school board enacted the policy to protect students, school staff, and visitors from secondhand smoke, to ensure a safe and positive learning and work environment for students and staff, and to model healthy and positive behaviors for students.
- **RANGE OF COMMUNICATION STRATEGIES:** Make sure that other communication strategies are in place to support verbal messages. For example, visitors to outdoor athletic events should see signs and information in event programs that communicate the policy, as well as hear announcements at the start of the game and during breaks to remind them of the policy.

SECTION 7: COMMUNICATION

NICOTINE-FREE SCHOOL SIGNS

The 24/7 campaign is proud to offer eye-catching, bilingual nicotine-free signs at no cost to your school site or entire school district. If your district has a comprehensive policy, the 24/7 campaign will provide every campus in your district with nicotine-free signage. Signage available in English/Spanish and English/Diné. To request these free signs, [visit 247NewMexico.com/signage](https://247NewMexico.com/signage).

We are happy to provide this at no cost to help you communicate your school policy. Prominently displaying signs that declare your school a nicotine-free zone is an essential step to ensuring widespread understanding and compliance of your policy.



12X18"
ALUMINUM SIGNS



8X8"
WINDOW DECALS



24X36"
LAMINATED INDOOR POSTERS



SHARE A SIGNAGE PHOTO

Once the nicotine-free signs are installed on your campus, send us a photo. We'd love to share it on our social media and spread the word about this free resource for schools.



SECTION 7: COMMUNICATION

SAMPLE LETTERS TO PARENTS (ENGLISH)

Dear Parents,

(Name of school district or school site) has a nicotine-free school policy in place. This policy prohibits all nicotine use by students, staff, and visitors at all times everywhere on campus, including school events after regular school hours and during off-site school activities. This policy also prohibits students, staff, and visitors from bringing nicotine products to school, as well as prohibits students from bringing nicotine products to off-site school activities. [Note: Tailor this sentence to your district's policy. Some districts choose to ban staff possession at off-site school events as well] A copy of the policy is attached.

We have put this policy in place for three main reasons:

- **HELP STUDENTS BE NICOTINE-FREE:** Youth spend a great deal of their time at school and school events. Keeping nicotine off campus means students don't see their friends and adults using nicotine, which helps make nicotine use less socially acceptable.
- **PROVIDE A HEALTHY AND POSITIVE ENVIRONMENT:** Breathing secondhand smoke can make others sick. It can trigger an asthma attack or worsen breathing problems. Staff and visitors using nicotine on campus or at school events place others at risk. We want to keep our schools healthy for everyone. Additionally, nicotine-free schools create the best social and learning environment for youth. Nicotine use at school distracts from learning and is linked to school failure and truancy.
- **COMPLY WITH FEDERAL AND STATE REGULATIONS:** Federal and state law prohibit using nicotine in elementary, intermediate, and secondary schools. Additionally, state law directs school boards to prohibit "the use, possession and distribution of nicotine products, e-cigarettes and nicotine liquid containers ... in school buildings, on school premises and by students at school-sponsored activities away from school grounds."

Nicotine-free schools provide positive role modeling for students. Schools are a place where children develop lifelong behaviors, and we are committed to ensuring smoking, chewing tobacco and e-cigarettes are not one of these behaviors.

We have placed signs about the policy on all school campuses. We will also make announcements at school events to remind people that nicotine, tobacco and e-cigarette use is not allowed at these events or on school property.

There are many helpful resources for youth or adults in our community who use nicotine and want to quit. New Mexico funds a free Quitline, 1-800-QUIT NOW (1-800-784-8669) // 1-855-DEJELO YA (1-855-335-3569) // QUITNOWNM.org, DEJELOYANM.com, and LIVEVAPEFREE.com, that anyone can use at no charge.

We appreciate your help in supporting this policy. If you have questions or comments about the policy, please call the principal at your child's school at (include phone number or email address).

Sincerely,

SECTION 7: COMMUNICATION

EJEMPLOS DE CARTAS PARA PADRES

Estimados padres de familia:

(Nombre del distrito escolar o de la escuela) cuenta con una política de espacios escolares libres de nicotina. Esta política prohíbe el uso de nicotina por parte de estudiantes, personal y visitantes en todo momento y en cualquier lugar de las instalaciones escolares, incluidos los eventos escolares fuera del horario habitual y las actividades escolares realizadas fuera de la escuela. Asimismo, este reglamento prohíbe que estudiantes, personal y visitantes lleven productos de nicotina a la escuela, y prohíbe a los estudiantes llevar dichos productos a actividades escolares realizadas fuera de la escuela.

[Nota: Adapte esta oración a la política de su distrito. Algunos distritos también optan por prohibir que el personal posea estos productos en eventos escolares fuera de la escuela.] Se adjunta una copia de este reglamento.

Hemos implementado esta política por tres razones principales:

- **Ayudar a los estudiantes a mantenerse libres de nicotina:** Los jóvenes pasan gran parte de su tiempo en la escuela y en eventos escolares. Mantener la nicotina fuera de la escuela significa que los estudiantes no ven a sus amigos ni a los adultos consumiéndola, lo que contribuye a que el uso de nicotina sea menos aceptable socialmente.
- **Brindar un ambiente sano y positivo:** Respirar humo de segunda mano puede enfermar a otras personas. Puede desencadenar ataques de asma o agravar problemas respiratorios. El personal y los visitantes que consumen nicotina en el recinto escolar o en eventos escolares ponen en riesgo a los demás. Queremos mantener nuestras escuelas saludables para todos. Además, las escuelas libres de nicotina crean el mejor entorno social y de aprendizaje para los jóvenes. El consumo de nicotina en la escuela distrae del aprendizaje y está vinculado al fracaso escolar y al ausentismo.
- **Cumplir con los reglamentos federales y estatales:** Las leyes federales y estatales prohíben el uso de nicotina en escuelas primarias, intermedias y secundarias. Asimismo, la ley estatal ordena a las juntas escolares prohibir "el uso, la posesión y la distribución de productos de nicotina, cigarrillos electrónicos y envases de líquido con nicotina... en los edificios escolares, en las instalaciones de la escuela y por parte de los estudiantes en actividades patrocinadas por la escuela fuera de la escuela".

Las escuelas libres de nicotina ofrecen modelos de conducta positivos para los estudiantes. Las escuelas son lugares donde los niños desarrollan hábitos para toda la vida, y estamos comprometidos a garantizar que fumar, mascar tabaco y usar cigarrillos electrónicos no formen parte de esos hábitos.

Hemos colocado letreros informativos sobre la política en todos los planteles escolares. También haremos anuncios durante los eventos escolares para recordar a los asistentes que no está permitido el uso de nicotina, tabaco ni de cigarrillos electrónicos en dichos eventos ni en las instalaciones escolares.

Existen muchos recursos útiles para los jóvenes o adultos de nuestra comunidad que consumen nicotina y desean dejar de hacerlo. Nuevo México financia una línea gratuita de ayuda para dejar de fumar, 1-800-QUIT NOW (1-800-784-8669) // 1-855-DEJELO YA (1-855-335-3569) // QUITNOWNM.org // DEJELOYANM.com y LIVEVAPEFREE.com, que cualquier persona puede utilizar sin costo alguno.

Agradecemos su colaboración para apoyar este reglamento. Si tiene preguntas o comentarios al respecto, por favor comuníquese con el director de la escuela de su hijo/a al (incluya el número de teléfono o la dirección de correo electrónico).

Atentamente,

SECTION 7: COMMUNICATION

SAMPLE STAFF MEMO

Dear Staff,

Our school district values the health and well-being of all students and staff. To ensure we maintain a positive, healthy learning environment, [Name of School District] has a **nicotine-free school policy** in place that prohibits **all nicotine and e-cigarette use by students, staff, and visitors at all times**, including school events after regular school hours and at off-site school activities. This policy also prohibits students, staff, and visitors from bringing nicotine products to school and prohibits students from bringing nicotine products to off-site school activities. [Note: Tailor this sentence to your district's policy. Some districts choose to ban staff possession at off-site school events as well]. A copy of the policy is attached.

We have put this policy in place for three main reasons:

- **Help Students Be Nicotine-Free:** Youth spend a great deal of their time at school and school events. Keeping nicotine out of the school environment means students don't see their friends or adults using nicotine, which helps make nicotine use less socially acceptable.
- **Provide A Healthy and Positive Environment:** Breathing secondhand smoke can make others sick or worsen breathing problems like asthma. We want to keep our schools healthy for everyone. In addition, nicotine use at school easily distracts from learning and is linked to school failure and truancy and other risk behaviors.
- **Comply With Federal and State Regulations**

As staff, it is critical we are aware of and in compliance with our nicotine-free school policy. **Our nicotine-free policy must be enforced in order to be effective.** It is also important we recognize our position as role models for our youth. **All school personnel are required to enforce our nicotine-free school policy.** Here at [Name of School], staff should refer students who are found violating the policy to [customize this information for your school]. Ignoring violations or only warning students compromises the effectiveness of our policy.

It is our job to work together to provide a positive and healthy learning environment for our youth and fellow staff. As a nicotine-free school, we are paving the way for a lifetime of healthy decision-making in our students.

There are many helpful resources for youth or adults in our community who use nicotine and want to quit. New Mexico funds a free Quitline, 1-800-QUIT-NOW (1-800-784-8669) // 1-855-DEJELO-YA (1-855-335-3569), that anyone can use at no charge. Web-based services are also available at QUITNOWNM.org, DEJELOYANM.com, and LIVEVAPEFREE.com. Participants by either phone or web are eligible to take advantage of a text messaging service, which supports this free nicotine cessation program.

We appreciate your help in supporting this policy. If you have questions or comments about the policy, please feel free to contact [Insert Point of Contact Here].

Sincerely,

[Principal / School Administrator]

SECTION 7: COMMUNICATION

SAMPLE SCHOOL-SPONSORED EVENT ANNOUNCEMENTS

School-sponsored events, such as athletic events and theater performances, are an opportunity for students, staff, and community members to have fun and celebrate student talent without being exposed to secondhand smoke or seeing nicotine use.

Regular announcements at events are a simple and effective strategy for getting the message across, especially when used in combination with signage and information in event flyers or brochures. We recommend multiple announcements throughout the course of an event – for example, at the beginning of the event, at the start of each break, and at the end of the event.

The following are sample announcements you can modify and use at your school-sponsored athletic events. These are easily adaptable for other events, such as theater performances:

15 SECONDS: For the safety of our students, (name of school) is proud to have a truly nicotine-free school policy. At this time, we would like to remind our home fans and visitors that the use of nicotine products or electronic cigarettes during tonight's sporting event is strictly prohibited. We appreciate your support and would like to thank you for keeping our school and stadium nicotine-free. Enjoy the game!

15 SEGUNDOS: Para la seguridad de nuestros estudiantes (nombre de la escuela) se enorgullece de tener una política escolar verdaderamente libre de nicotina. En este tiempo, quisiéramos recordarles a nuestros aficionados de casa y a los visitantes que el uso de cualquier producto de tabaco durante el acontecimiento deportivo de esta noche se prohíbe estrictamente. Apreciamos su apoyo y quisiéramos darles las gracias por mantener nuestra escuela y nuestro estadio libre de tabaco. ¡Gocen el juego!

15 SECONDS: About 1,500 New Mexico youth under 18 become new nicotine users each year. That is one reason why (name of school) has a truly nicotine-free school policy. Nicotine use of any kind is strictly prohibited on all school property – including in and around the stadium and parking lots. Thank you for your support and for helping us keep our students nicotine-free.

15 SEGUNDOS: Aproximadamente 1,500 niños de Nuevo México menores de 18 años se convierten en nuevos consumidores de nicotina cada año. Esta es una de las razones por la cual (nombre de la escuela) tiene una política verdaderamente libre de nicotina. El uso de nicotina de cualquier tipo está estrictamente prohibido en toda la propiedad escolar, incluyendo dentro y alrededor del estadio y de los estacionamientos. Gracias por su apoyo y por ayudarnos a mantener a nuestros estudiantes libres de nicotina.

15 SECONDS: Nicotine kills more than 1,200 Americans every day. Eighty percent of them started using nicotine before they were 18. This is one reason why (name of school district) schools are truly nicotine-free. We would like to remind our visitors and fans that nicotine use of any kind during tonight's game is prohibited. Thank you for your support, and enjoy the game!

15 SEGUNDOS: La nicotina mata a más de 1,200 estadounidenses cada día. El ochenta por ciento de ellos empezaron a fumar antes de los 18 años. Esta es una de las razones por la cual la escuela (nombre de la escuela) es verdaderamente libre de nicotina. Nos gustaría recordarle a nuestros visitantes y aficionados que el uso de nicotina de cualquier tipo está prohibido durante el juego de esta noche. ¡Gracias por su apoyo y que disfrute el juego!

30 SECONDS: Hey, fans! Did you know that nicotine use is the number one cause of preventable death in New Mexico? Every year more than 2,600 people in our state die from the use of nicotine products – more than those who die from AIDS, alcohol, traffic accidents, illegal drugs, murder and suicide combined. This is one reason why our school is truly nicotine-free. This means no nicotine use anytime, by anyone, anywhere on campus – including stadiums and parking lots. We appreciate your support, and thank you for keeping our school and stadium nicotine-free. Enjoy the game!

30 SEGUNDOS: ¡Hola aficionados! ¿Sabían ustedes que el uso de nicotina es la causa número uno de fallecimientos evitables en Nuevo México? Cada año más de 2,600 personas de nuestro estado mueren por uso de productos de nicotina, más que los que mueren de SIDA, alcohol, accidentes de tráfico, drogas ilegales, asesinato y suicidio combinadas. Esta es una razón por la cual nuestra escuela es verdaderamente libre de nicotina. Esto significa que no se puede usar nicotina en ningún momento, por ninguna persona, en cualquier lugar del campus, incluyendo estadios y estacionamientos. Agradecemos su apoyo y le agradecemos por mantener nuestra escuela y estadio libres de nicotina. ¡Qué disfrute el juego!

SECTION 8: COMPLIANCE AND ENFORCEMENT

WHY ARE COMPLIANCE AND ENFORCEMENT IMPORTANT?

☐ Policies need to be enforced in order to be effective.

- To help ensure this, the New Mexico Administrative Code ruling 6.12.4 requires each school district and state-chartered charter school to “establish adequate provisions for its enforcement, including the enumeration of possible sanctions or disciplinary action, consistent with applicable statutory and case law.” But it is up to each school or district to determine its specific discipline procedures for students, staff, and visitors

☐ Enforcement of school nicotine-free policies makes a positive impact on reducing student tobacco and nicotine use.

☐ Adults can demonstrate role model behavior for students by complying with the policies.

HOW TO ENFORCE YOUR NICOTINE-FREE POLICY

☐ RECORD YOUR ENFORCEMENT PROCEDURES AND BE SPECIFIC

- As with all school policies, it is important to establish written enforcement procedures that are fair, clear, and consistently implemented. Policy specificity helps avoid loopholes that can be exploited if messaging is vague. Procedures need to be developed for all potential violators: students, staff and visitors. Many schools find that developing a written checklist outlining these procedures facilitates consistent implementation.

☐ PREPARE PROGRESSIVE AND SUPPORTIVE DISCIPLINE OPTIONS FOR STUDENTS

- School administrators are required to develop progressive and supportive discipline procedures for students that emphasize education and restorative consequences as opposed to suspension or expulsion. The main purpose of consequences for violations is for students and others to learn from their mistakes and make better decisions in the future. Through required educational interventions, voluntary cessation support, and parent communication, students can be supported to honor the policy and make positive changes in their tobacco and nicotine use.

☐ ENSURE THAT ALL STAFF MEMBERS COMPLY WITH THE POLICY AND ENFORCE THE RULES

- All school personnel are required to comply with and enforce the nicotine-free school policy. This includes food service workers and custodial staff as well as security, teachers, and administrators. The main role for most school staff is to refer students who are suspected of violating the policy to appropriate personnel. Some staff may believe that either ignoring violations or warning students and fellow staff to stop using tobacco or nicotine is better than making a referral. Unfortunately, this leads to inconsistency and unfairness, and undermines a culture of respect and safety.

☐ DESIGNATE A TEAM TO OVERSEE IMPLEMENTATION

- The direct implementation of the policy and procedures should be designated to a team, typically members of the administration at the school site. This team should immediately confiscate the tobacco or nicotine product and related paraphernalia from the student who has violated the policy in addition to assigning and tracking consequences. Other members that can be involved in this team could be counselors or nurses.

SECTION 8: COMPLIANCE AND ENFORCEMENT

PROGRESSIVE AND SUPPORTIVE DISCIPLINE FOR STUDENTS

Progressive discipline involves procedures that start with less punitive consequences and become more punitive with each violation during a school year. Supportive measures involve education and referral to cessation resources to accompany disciplinary consequences. Tobacco and nicotine use is often more than a disciplinary issue; in many cases, it is also an addiction issue.

Note that a verbal warning is not listed for students because every student violation of the nicotine-free policy should be referred for disciplinary action. Additionally, the response to all violations should include a search for nicotine products, e-cigarettes, and related materials, followed by immediate confiscation of those products and related equipment.

Below are recommended enforcement protocols.

FIRST OFFENSE:

- Notification of parent/guardian by telephone or written communication
- Conference with student
- Educational session with school nurse or counselor or school-based health center staff (group or individual), including referral to cessation services

SECOND OFFENSE:

- Immediate removal for remainder of school day (required pick up by parent/guardian)
- Conference with student and parent
- Individual counseling session with school nurse or counselor, including referral to cessation services and No Use at School Plan

THIRD OFFENSE OR MORE:

- In-school suspension or out-of-school suspension (1-3 days)
- Counseling session with school nurse or counselor, including mandatory referral to cessation services
- Required school or community service

SECTION 8: COMPLIANCE AND ENFORCEMENT

PROGRESSIVE DISCIPLINE FOR VISITORS

The first step in enforcing the policy with parents and visitors is to gently but assertively inform them about the policy. Many parents and visitors who possess or use tobacco/nicotine products or e-cigarettes on school property/school events are either unaware of the policy or have forgotten about the policy. In these cases, a gentle verbal reminder is all that is needed to obtain compliance (see page 29 for suggestions on how to remind parents and other visitors). The verbal reminder should include information about the policy so that the visitor understands that in the future they need to ensure that tobacco/nicotine products and e-cigarettes are not brought to school property/school events in the first place.

When parents or other visitors are unwilling to comply with a request to refrain from tobacco/nicotine or e-cigarette use on campus or at events, schools need to have a plan in place for appropriate enforcement. Examples include a parent who refuses to stop smoking while waiting in his or her car to pick up a student or an attendee at a sporting event who refuses to stop using an e-cigarette.

Here is a suggested progressive enforcement plan for parents and campus visitors who do not respond to a simple verbal request to refrain from using tobacco products or e-cigarettes on school property:

FIRST VIOLATION: Make a clear statement about the need for visitors to comply with the school's policy, including a reason for the policy.

SECOND VIOLATION: Inform the visitor of the policy again. Suggest that the visitor leave the school campus or event if they want to continue smoking, chewing, or using an e-cigarette. Let them know that they will be required to leave if they continue to violate the policy.

THIRD VIOLATION: Ask security personnel or a school administrator to escort the visitor off campus or away from the school event.

At the point that a visitor needs to be escorted off campus, and they resist leaving, law enforcement may need to be called in to support school personnel.

NOTE: Never put yourself in a situation that you are uncomfortable with or makes you uneasy. Take a fellow staff member with you to address a visitor or, if you feel like a situation is escalating, ask for assistance from a security guard or local law enforcement.

SECTION 8: COMPLIANCE AND ENFORCEMENT

SAMPLE STATEMENTS FOR VISITOR ENFORCEMENT

- “Pardon me, our school has a nicotine-free policy in place — this means tobacco, nicotine and e-cigarettes are prohibited on campus at all times.”
- “I’m sorry, but I must ask you to comply with our school district’s nicotine-free policy by putting out your cigarette. Our school policy prohibits everyone — students, staff, and visitors — from bringing tobacco and nicotine products to school grounds.”
- “Excuse me, but I must ask you to put away your chewing tobacco/nicotine pouch. We have a nicotine-free school policy in place on our campus that prohibits students, staff, and visitors from having tobacco or nicotine of any kind on school property.”
- “We need to ask all visitors to comply with our school’s nicotine-free policy. Our goal is to model healthy behaviors to our students and to protect students, staff, and visitors from secondhand smoke. Thank you for your help.”
- “We ask everyone to comply with our nicotine-free policy and appreciate your help by putting away all your tobacco/nicotine/e-cigarette products.”
- “You may not have noticed our signs indicating that the school is nicotine-free. If you wish to use a tobacco/nicotine/e-cigarette product, you are welcome to leave campus property and come back when you are finished. Thank you.”
- “Our nicotine-free school policy extends to school events off school property. Please do not use tobacco or nicotine of any kind during this event.”

EJEMPLOS DE FRASES PARA QUE LOS VISITANTES CUMPLAN LAS REGLAS

- “Disculpe, nuestra escuela tiene una política libre de nicotina, esto significa que el tabaco, la nicotina y los cigarrillos electrónicos están prohibidos en el local en todo momento”.
- “Lo siento, pero debo pedirle que apague su cigarrillo para cumplir con la política de nuestro distrito escolar de ser libre del nicotina. La política de nuestra escuela prohíbe que todos, estudiantes, personal y visitantes, traigan productos de tabaco y nicotina a la escuela”.
- “Disculpe, pero debo pedirle que guarde su bolsillo de tabaco/nicotina de mascar. Tenemos una política en nuestra escuela que prohíbe a los estudiantes, el personal y los visitantes de tener tabaco o nicotina de cualquier tipo en la propiedad escolar para cumplir con la política de ser libre del nicotina”.
- “Necesitamos pedirles a todos los visitantes que cumplan con la política de la escuela de ser libre de nicotina. Nuestro objetivo es modelar comportamientos saludables para proteger a los estudiantes, el personal y los visitantes del humo de segunda mano. Gracias por tu ayuda.”
- “Les pedimos a todos que cumplan con nuestra política de ser libre del nicotina y pedimos que guarden tus productos de tabaco/nicotina o cigarrillos electrónicos”.
- “Es posible que no haya visto nuestros letreros de no fumar. Si desea usar un producto de tabaco/nicotina o un cigarrillo electrónico, puede salir de la propiedad y regresar cuando haya terminado. Gracias.”
- “Nuestra política de ser libre de nicotina se aplica a los eventos escolares fuera de la propiedad escolar. Les pedimos que por favor no use nicotina o nicotina de cualquier tipo durante este evento”.

SECTION 8: COMPLIANCE AND ENFORCEMENT

EDUCATIONAL INTERVIEW GUIDE FOR STUDENTS

An educational session on nicotine conducted by a knowledgeable staff member offers an effective, feasible alternative to punitive consequences for violations of the nicotine-free policy. The following guide can be used by a variety of school personnel. Based on the model of motivational interviewing, participation in this kind of educational intervention may increase the readiness of a student to quit nicotine as well as improve compliance with school nicotine policies.

TIME: 30-45 minutes (can be conducted in three, 10- to 15-minute sections)

WHO: School Nurse, School Counselor, Health Educator, School-Based Health Clinician, or Other Support Personnel

OBJECTIVES:

1. Student will increase knowledge about harmful effects of nicotine use.
2. Student will increase motivation to quit.
3. Student will quit or reduce use of nicotine products.
4. Student will stop using nicotine products on school property or at school events.

OUTLINE OF THE MEETING:

Establish rapport with the student.

- Allow student to express his or her own ideas about nicotine use.
- Allow student to explore his or her ideas about changing the behavior or not doing so.
- Inform the student about resources for quitting if he or she is considering quitting or is ready to quit.
- Address the need to respect school policy. Help the student make a plan for how to stay out of trouble, while furthering the student's own goals.

SUGGESTIONS FOR THE MEETING:

Use Motivational Interviewing to help the student motivate him or herself to change the behavior:

- Show empathy.
- Point out discrepancies, from a neutral point of view, between the behavior and other values, goals or behaviors.
- Go along with resistance; don't oppose the student.
- Avoid arguments so that a deadlock doesn't result.
- Listen for and reinforce "change talk," comments that indicate a desire, ability, reason, and need to change behavior and a commitment to do so.
- Support self-confidence in the student's abilities; draw attention to past successes and recent achievements.

Establish rapport and find out what the student is interested in:

- What are you involved in?
- What kinds of things do you enjoy?
- What are your goals after you finish high school? What would you like to do/be in the future? Does this include smoking/chewing/using e-cigarettes?

Inquire about student's knowledge about nicotine:

- What do you know about nicotine?

Learn about the student's nicotine use:

- What do you like about smoking/chewing/using e-cigarettes?
- What, if anything, don't you like about smoking/chewing/using e-cigarettes?
- About how often do you smoke/chew/use e-cigarettes?
- How many times in the last week/month?

IF ONE-TIME EVENT:

- Discuss decision-making: Choices affect you now and later
- Discuss addiction: How using nicotine leads to addiction; explain the adolescent brain is especially susceptible to chemicals because it's still developing; show picture of how nicotine affects the brain

SECTION 8: COMPLIANCE AND ENFORCEMENT

EDUCATIONAL INTERVIEW GUIDE FOR STUDENTS (cont.)

- Discuss immediate effects of nicotine use:
 - Get in trouble at school or home
 - Smoking may stain your teeth and turn your fingers yellow
 - Friends might not like it, especially boy/girlfriend
 - Impacts lung function and athletics
 - Other
- Discuss long-term effects of nicotine use. (For more information about the health effects of smoking, visit the CDC's website at http://www.cdc.gov/tobacco/basic_information/health_effects/index.htm)
- Get insight into other ways they could address the situation/their needs without using tobacco or nicotine products. This may lead to making a referral to help students deal with stress, academic, or addiction issues that might otherwise have been overlooked. If nicotine use is part of how a student copes with stress, the school counselor can help the student figure out alternative coping strategies. Be sure to prepare the school counselor or nurse for such referrals.

IF REGULAR OR ADDICTED NICOTINE USER:

- At what age did you start using?
- Where do you get tobacco or nicotine products?
- Who do you know who uses tobacco or nicotine products (want to find out if family members, close friends are using nicotine)?
- What are the reasons you use tobacco or nicotine products?
- Get insight into other ways they could address the situation/their needs without using tobacco or nicotine products. This may lead to making a referral to help students deal with stress, academic, or addiction issues that might otherwise have been overlooked. If nicotine use is part of how a student copes with stress, the school counselor can help the student figure out alternative coping strategies. Be sure to prepare the school counselor or nurse for such referrals.

WHAT DO YOU KNOW ABOUT SMOKING/CHEWING/USING E-CIGARETTES? ENGAGE IN A CONVERSATION, ADDING THIS INFORMATION:

- Most smokers become addicted when they are a teen.
- E-cigarettes are not safe for youth. Nicotine exposure during adolescence may have lasting adverse consequences for brain development.¹¹
- The aerosol produced by e-cigarettes is not harmless water vapor; it can contain nicotine and other toxins.¹¹

WHERE ARE YOU WITH THE IDEA OF QUITTING?

- If not interested in quitting: What do you need to do so that you can respect school policy and not use nicotine during school and at school events?
- Complete "Getting Through the School Day Without Nicotine" (see page 32).
- If in contemplation, preparation, or action state of quitting, reinforce importance for change and the student's belief in his or her ability to make a change in tobacco/nicotine use.
- Go online together to Teen.Smokefree.gov and peruse the resources or share other established online resources for teens with information on the dangers of nicotine and how to quit.
- Go online to QUITNOWNM.org and LIVEVAPEFREE.com or call Quit Now NM together, 1-800-QUIT-NOW (1-800-784-8669) // 1-855-DEJELO-YA (1-855-335-3569).
- Refer to a cessation class or school counselor, nurse, or school-based health center for more support.

IDENTIFY NEXT STEPS

- Set date for the student to check in with you or ask the student to check in after they have completed the actions identified.
- Set up a procedure for the student to check in with you about how they are doing with no use at school and/or other objectives.

SECTION 8: COMPLIANCE AND ENFORCEMENT

PROGRESSIVE DISCIPLINE ASSIGNMENTS FOR STUDENTS

MIDDLE SCHOOL

1. Do activities at Teen.smokefree.gov:
 - a. Quizzes: Students can take up to six quizzes and print results for documentation
 - b. Support Text Messages: Students can show that they have registered to receive text messages to support quitting nicotine
2. Community or school service:
 - a. Trash pick up often involves cleaning up cigarette butts or other nicotine related materials
 - b. Other school or classroom cleanup activities may also be a way of repairing harms done to the school environment
3. Research and write or present a report on one of the following subjects:
 - a. How many preventable deaths are caused in New Mexico, the U.S., and worldwide due to nicotine?
 - b. What are the ingredients in cigarettes or vapes and their other uses?
 - c. What are 10 harmful effects of vaping or smoking tobacco?
 - d. How does tobacco or nicotine affect the environment?
 - e. How much do tobacco companies spend on advertising in the U.S. and in New Mexico every day, every year? How much do they pay for an ad?
4. Calculate how much tobacco/cigarettes/e-cigarettes cost per week, month, and year for themselves and for a pack-a-day user. What else could be purchased with that money each year?
5. Find a print ad for a tobacco or e-cigarette product and answer these questions in writing (basic deconstruction questions) or design a “counter ad” that tells the truth about these products
 - a. Whose message is this? Who created or paid for it? Why?
 - b. Who is the “target audience”? What are the clues (words, images, sounds, etc.)?
 - c. What is the ad doing to persuade you to use the product?
 - d. What part of the story is not being told?

HIGH SCHOOL

1. Community Service Project:
 - a. Volunteer at hospital or senior center with patients who have nicotine and tobacco-related illnesses
 - b. Volunteer with the American Lung Association or American Cancer Society
 - c. Volunteer in a dental office
2. Interview someone who has used tobacco or nicotine for at least 10 years, and write answers to these questions:
 - a. When and why did you start using nicotine or tobacco products?
 - b. Have you tried to stop? What happened?
 - c. How has using nicotine affected you?
 - d. How has your tobacco/nicotine use impacted your family?
 - e. What would you like to tell me about using nicotine or tobacco products?
3. Interview a family member of someone who died from nicotine or tobacco use, and write up what you learned.
4. Call insurance companies, and ask how premiums change for a tobacco user vs. nonuser.
5. Research and write or present a report on one of the following subjects:
 - Life expectancy for a tobacco user vs. nonuser
 - How nicotine and tobacco affects the environment
 - Other countries’ laws around tobacco use, use rates, and death rates
 - Products that contain nicotine, other than cigarettes; find out why there is such a variety of products
 - Smokeless tobacco products, their packaging, and their health effects
6. Take a fitness test or evaluation.
7. Select a fact sheet at www.tobaccofreekids.org or thetruth.com, and write down at least three facts and why they are of interest to you.

SECTION 8: COMPLIANCE AND ENFORCEMENT

GETTING THROUGH THE SCHOOL DAY WITHOUT NICOTINE

Student Name: _____ Date: _____

WHEN DO YOU HAVE TOBACCO/NICOTINE CRAVINGS?

- ☐ Before school
- ☐ During school
- ☐ After school
- ☐ When my friends are using
- ☐ During classes: which ones?

- ☐ When i'm at a social activity
- ☐ When i'm bored
- ☐ When i'm stressed
- ☐ When i'm upset
- ☐ Other:

WHEN DO YOU USE TOBACCO/NICOTINE AT SCHOOL?

- ☐ Before class
- ☐ During class
- ☐ After class
- ☐ When my friends are using
- ☐ During lunch/gym: which one?

- ☐ When I'm at an off-campus school activity: which ones?
- ☐ When i'm bored
- ☐ When i'm stressed
- ☐ When i'm upset
- ☐ Other:

WHAT ACTIVITIES HELP ME FORGET ABOUT TOBACCO/NICOTINE? (I.E. SPORTS, PLAYING AN INSTRUMENT, HANGING WITH FAMILY, ETC.)

SECTION 8: COMPLIANCE AND ENFORCEMENT

A. MY PLAN:

☐ 1. Use Nicotine Replacement Therapy (NRT) during the school day: patch, gum or lozenges.

The NRT must be stored in the nurse's office. You can get it from the nurse as needed / prescribed.

☐ 2. Distract myself from cravings:

Keep my hands busy:

Text a friend

Draw

Help a teacher grade / clean

Have a healthy snack or drink water

Listen to music

Take deep breaths

Go for a walk

Positive self-talk

Chew gum

Other _____

Other _____

☐ 3. I will change my routine:

Hang out with friends who don't use nicotine during times when I usually use nicotine at school

Take a different route to classes

Not hang out in known smoking areas

Other _____

Other _____

☐ 4. I will find support:

Tell friends that I have decided not to use at school

Find a friend to talk to when I have a craving

Hang out with friends who don't smoke

Talk to a teacher or staff member who cares about me

Visit the school-based health center to get support

Other _____

Student Signature

Nurse / Counselor Signature

SECTION 9: CESSATION AND SUPPORT

Because nicotine dependence can start early in an adolescent's use of nicotine products, cessation resources should be offered to the student beginning at the first offense.

No one can be forced to quit. Quitting is a choice that must be made by a nicotine user, whether student or staff. Research has shown that most teen smokers do want to quit but have been unsuccessful in their previous attempts.

New methods of cessation support using media that youth use most often, like texting and the Internet, are now available. Online support, telephone counseling and text messages can all provide valuable support for teens who would like help with quitting.

FREE CESSATION RESOURCES FOR STUDENTS AND ADULTS

- **Quit Now NM**
1-800-QUIT-NOW (1-800-784-8669) // 1-855-DEJEO-YA (1-855-335-3569) // QUITNOWNM.org, DEJEOYANM.com, and LIVEVAPEFREE.com. Quit Now NM is the Department of Health's free quitline to help New Mexicans quit nicotine. Participants receive:
 - Services for youth and adults
 - Free nicotine patches, gum or lozenges, as appropriate
 - Programs for all nicotine users
 - Unlimited sessions with a trained quit coach
 - Free personal quit plan
 - Free self-help materials
 - All services available in English and Spanish.
- **Smokefree Teen (SfT)**
www.Teen.Smokefree.gov
This site is a joint project of the U.S. Department of Health & Human Services, National Institutes of Health, National Cancer Institute (NCI), and USA.gov. It features teen images and language, and offers text messages, quizzes, comics, live chat with an NCI counselor, links to state quit lines, and more.
- **SmokefreeTXT**
<http://Smokefree.gov/SmokeFreeTxt> // Text QUIT to 47848 to get started
SmokefreeTXT is a mobile text messaging service designed for adults and young adults across the United States who are trying to quit smoking. The program was created to provide 24/7 encouragement, advice, and tips to help smokers quit smoking and stay quit.

OTHER COUNSELING RESOURCES

Many high schools in New Mexico have school-based health centers that provide behavioral health services to students. To find a school-based health center near you, visit <http://www.nmasbhc.org>.

SECTION 10: STUDENT EDUCATION RESOURCES

STUDENT EDUCATION RESOURCES

Nicotine education is very important for students to understand why there are policies in place to protect them from exposure. There are a variety of programs and resources available today for all age levels with videos and learning materials. Some are free and some are available for purchase. If your school is ready to integrate tobacco and nicotine education into the curriculum as part of 24/7's recommended policy guidelines, we advise to start with recognized organizations that offer science-supported, health-focused content.

Here are a few online student education programs that are available for free:

- [Scholastic's "The Real Cost of Vaping"](#)
- [Smokefree Teen](#)
- [Take Down Tobacco](#)

No matter which program or materials you choose to use, they should:

- List the many types of products and their potency
- Share state and national laws surrounding possession by a minor
- Describe the health consequences of using tobacco and nicotine
- Detail how to quit using if struggling with addiction

SECTION 11: RESPECT CULTURAL DIFFERENCES

CULTURAL COMPETENCE

To a great degree, the success of a school's nicotine-free policy depends on understanding cultural and situational differences among students, especially those most likely to use nicotine products. Knowledge and appreciation of these differences is essential for creating and enforcing nicotine-free school policies appropriate for the students in our schools and supporting success for the students who are most at risk.

Here are six areas to consider when implementing and communicating your policy:

- **LANGUAGE**

Ensure that written and verbal messages are provided in the languages used by both students and adults in each community.

- **READING LEVEL**

Write materials, including letters to parents, in clearly understood language, preferably at a 6th grade reading level, using short sentences and simple vocabulary. It is also helpful to add visual images that communicate the same message.

- **TRADITIONAL PRACTICES**

Tobacco has been used by Native American communities as offerings to the spirits, for planting, for gathering food, for healings and for ceremonies. In these communities, it is important to distinguish concerns about commercial tobacco from tobacco used in a sacred and traditional context. **24/7's policies do not apply to sacred tobacco. Our policies apply to commercial tobacco and nicotine products only, and we will never prohibit sacred tobacco.**

- **IMAGES THAT REFLECT THE COMMUNITY**

When creating or selecting images to include in written materials, include people, landscapes and buildings that represent your community.

- **TYPE OF NICOTINE PRODUCTS USED IN THE COMMUNITY**

Research which types of nicotine products are more heavily used in your area, and emphasize those products in your communications. For example, smokeless nicotine (such as chew or nicotine pouches) is not heavily used in some areas, but it is the primary nicotine product in others.

- **DEVELOPMENTAL LEVEL**

Tailor communication to the age of students. For example, at secondary schools, posters could include information about the effects of tobacco and nicotine products, whereas at elementary schools, simple signs with the rules about nicotine are sufficient.

SECTION 12: RESOURCES

6.12.4 NMAC, TOBACCO, ALCOHOL AND DRUG FREE SCHOOLS RULE

TITLE 6
CHAPTER 12
PART 4

PRIMARY AND SECONDARY EDUCATION
PUBLIC SCHOOL ADMINISTRATION - HEALTH AND SAFETY
TOBACCO, ALCOHOL AND DRUG FREE SCHOOLS

- 6.12.4.1** **ISSUING AGENCY:** Public Education Department.
[6.12.4.1 NMAC - Rp, 6.12.4.1 NMAC, 11/07/2023]
- 6.12.4.2** **SCOPE:** This rule applies to school districts, local school boards and to state-chartered charter schools and governing bodies. [6.12.4.2 NMAC - Rp, 6.12.4.2 NMAC, 11/07/2023]
- 6.12.4.3** **STATUTORY AUTHORITY:** This rule is promulgated by the secretary of public education and the public education department under the authority of Sections 9-24-8, 22-2-1, 22-2-2 and 22-5-4.4 NMSA 1978.
[6.12.4.3 NMAC - Rp, 6.12.4.3 NMAC, 11/07/2023]
- 6.12.4.4** **DURATION:** Permanent.
[6.12.4.4 NMAC - Rp, 6.12.4.4 NMAC, 11/07/2023]
- 6.12.4.5** **EFFECTIVE DATE:** December 15, 2015, unless a later date is cited at the end of a section.
[6.12.4.5 NMAC - Rp, 6.12.4.5 NMAC, 11/07/2023]
- 6.12.4.6** **OBJECTIVE:** The objective of this rule is to prohibit the use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs in school buildings, on school premises and by students at school-sponsored activities away from school grounds. [6.12.4.6 NMAC - Rp, 6.12.4.6 NMAC, 11/07/2023]
- 6.12.4.7** **DEFINITIONS:**
- A.** "Administration" means any person who has disciplinary and managerial authority to enforce school policies including but not limited to principals, vice-principals, and office personnel.
 - B.** "Alcoholic beverage" means any beverage containing more than one-half percent alcohol by volume, and includes all distilled or rectified spirits, potable alcohol or any similar alcoholic beverages, including all fermented or blended beverages and dilutions or mixtures of one or more of these alcoholic beverages.
 - C.** "Charter school" means a public school authorized by a chartering authority.
 - D.** "Commercial tobacco product":
 - (1)** means any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;
 - (2)** any electronic delivery device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or
 - (3)** any component, part, or accessory of Paragraph (1) or Paragraph (2) of this subsection, whether or not any of these contain tobacco or nicotine, including but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, mouthpieces, and pipes; and
 - (4)** does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

SECTION 12: RESOURCES

- E.** “E-cigarette” and “electronic nicotine delivery system”:
 - (1) means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device;
 - (2) includes, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, e-hookahs, vape pens, mods tank systems, or under any other product name or descriptor;
 - (3) includes any component, part, or accessory of the device, whether marketed or sold separately, including e-liquids, e-juice, cartridges, or pods, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; and
 - (4) does not include any product regulated as a drug or device by the United States food and drug administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 301 et seq.
- F.** “Illicit drugs” means prescription and over-the-counter medications used for non-medical purposes, or not used as medically prescribed by lawfully authorized practitioners or as directed by the manufacturer’s literature, and include all supplemental dietary or nutrition ergogenic aids, stimulants, nootropics, adaptogens, painkillers, sedatives and anxiolytics, blood boosters, and other performance-enhancing drugs.
- G.** “Lighter” means a mechanical or electrical device typically used for lighting tobacco products.
- H.** “Mood-altering substances” means substances that change, or are capable of changing, a person’s emotional state, and include all stimulants, opioids, intoxicative inhalants, and hallucinogens.
- I.** “Off-campus, school-sponsored event” means any event sponsored by the school or school district that is not on school property, including sporting events, day camps, field trips, dances, or theatrical productions.
- J.** “Parent” or “Guardian” means any person that has status as the legal guardian of a student.
- K.** “School district” means school districts or state-chartered charter schools.
- L.** “School personnel” means any person employed by a public school in New Mexico.
- M.** “School property” means all facilities and property, including land, whether owned, rented, or leased by a school district, and all vehicles owned, leased, rented, contracted for, or controlled by a school district used for transporting students, school personnel, or visitors.
- N.** “Signage” means signs declaring that all school property is commercial tobacco and nicotine product, electronic delivery device, alcoholic beverage, mood-altering substance, and illicit drug free.
- O.** “Student” means any person enrolled in the state of New Mexico’s public school educational system.
- P.** “Visitor” means any person subject to this policy that is not a student or school personnel as defined above and includes school volunteers.

6.12.4.8

REQUIREMENTS: Each local school board or governing body shall establish a tobacco, alcohol and drug free school policy:

- A.** The policy shall provide specific rules of conduct prohibiting the use, possession, and distribution of commercial tobacco and nicotine products, electronic delivery devices, alcoholic beverages, mood-altering substances and illicit drugs on school property and at off-campus school-sponsored events by students, school personnel, and visitors. These activities are prohibited at all times.
- B.** Each school district shall detail the prohibited acts and activities under the policy, and shall establish adequate provisions for its enforcement, including the enumeration of possible sanctions or disciplinary action, consistent with applicable statutory and case law.
- C.** Each policy shall include progressive and supportive disciplinary action beginning with options to promote positive student outcomes such as tobacco education or referral to counseling, parent conferences, and school or community service. Referrals to resources to help students overcome nicotine addictions shall be provided when developmentally appropriate. Parents or guardians shall be notified of all violations and actions taken by each school district.

SECTION 12: RESOURCES

- D.** All school personnel shall abide by the policy and are responsible for enforcement of the policy. Each school district may establish procedures necessary to implement the policy among school personnel. Disciplinary penalties may be imposed in accord with policies of the district regarding conduct and disciplinary actions.
- E.** Referrals to resources to help school personnel overcome nicotine addictions shall be provided to school personnel who are found to be in violation of this policy. Each school district may establish procedures for school personnel to receive training in the provisions of this policy, existing and emerging commercial tobacco products, trends in youth commercial tobacco and nicotine use, prevention education, and cessation support on an annual basis.
- F.** Each school district shall prohibit the promotion of tobacco products, electronic delivery devices, alcoholic beverages, mood-altering substances or illicit drugs on the school property or at off-campus, school sponsored events. This includes promotion of these products via gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other materials.
- G.** Each school district policy shall require school administration to provide referrals to resources to help students and school personnel overcome nicotine addiction
- H.** The policy shall provide that no school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce the policy.
- I.** Each school district shall develop and implement a procedure for effectively communicating the policy to students, their parents and families, school personnel, visitors on school property, and to local residents, groups, businesses and organizations served by the school. Such communication may include publishing information in student and employee handbooks, school district websites, announcements at school-sponsored events, and posting conspicuous, appropriate signage in buildings and on school property, including at entrances to school buildings and athletic events, in a manner and location that adequately informs students, school personnel, and visitors of the policy.
- J.** Each school district shall develop and implement a procedure for effectively communicating the policy to students, their parents and families, school personnel, visitors on school property, and to local residents, groups, businesses and organizations served by the school. Such communication may include publishing information in student and employee handbooks, school district websites, announcements at school-sponsored events, and posting conspicuous, appropriate signage in buildings and on school property, including at entrances to school buildings and athletic events, in a manner and location that adequately informs students, school personnel, and visitors of the policy. Each school district shall post conspicuous notices on all school property prohibiting the use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs, in school buildings, on school property, and by students at off-campus, school-sponsored events away from school grounds. Each school district shall post appropriate signage on school premises prohibiting the use, possession and distribution of commercial tobacco products, electronic delivery devices, on school property and by students at off-campus school-sponsored events in a manner and location that adequately notifies students, school personnel, and visitors, including at the entrance to school buildings and athletic events. [6.12.4.8 NMAC - Rp, 6.12.4.8 NMAC, 11/07/2023]

6.12.4.9

EXCEPTION:

- A.** Section 8 of this rule shall not include the lawful possession or use of a tobacco-cessation product approved by the United States food and drug administration.
- B.** It shall not be a violation of this policy for a person to possess or provide tobacco or lighters to any other person as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice. It shall not be a violation of this policy to use tobacco or a lighter as part of an educational experience related to indigenous tobacco practices that has been approved by administration. [6.12.4.9 NMAC – Rp, 6.12.4.9 NMAC, 11/07/2023]

SECTION 12: RESOURCES

HISTORY OF 6.12.4 NMAC:

PRE-NMAC HISTORY: The material in this regulation is derived from that previously filed with the State Records Center and Archives under: State Board of Education Regulation No. 94-2, Regulation on Tobacco Free School Districts, filed July 19, 1994.

HISTORY OF REPEALED MATERIAL:

6.12.4 NMAC, Tobacco, Alcohol and Drug Free School Districts, filed 5/16/2001 - Repealed effective 12/15/2015. 6.12.4 NMAC Tobacco, Alcohol, & Drug Free Schools filed 12/15/2015 was repealed and replaced with 16.12.4 NMAC - Tobacco, Alcohol & Drug Free Schools, effective 11/7/2023

DATA & STATISTICS REGARDING TOBACCO & NICOTINE

The following sources contain valuable information regarding tobacco and nicotine and are updated regularly. The 24/7 campaign encourages school districts to familiarize themselves with state and national data that can provide insight into how to better reach youth and protect them from the harmful effects of using these types of products. This information can be useful for updating school policies, discipline procedures and communication tactics.

New Mexico Info:

- ❑ **New Mexico Youth Risk and Resiliency Survey (NM YRRS)** - Connections Tobacco Factsheets
 - <https://youthrisk.org/publications/connections/>
- ❑ **Tobacco-Free Kids** - The Toll of Tobacco in New Mexico
 - https://www.tobaccofreekids.org/problem/toll-us/new_mexico
- ❑ **New Mexico Department of Health** - Nicotine Use Prevention and Control Program (NUPAC)
 - <https://www.nupacnm.com/>

General Info:

- ❑ **Centers for Disease Control and Prevention (CDC)** - Tobacco Index
 - <https://www.cdc.gov/tobacco/index.htm>
- ❑ **Truth Initiative** - Research and Resources
 - <https://truthinitiative.org/research-resources>

SECTION 12: RESOURCES

SOURCES & MORE INFORMATION

1. https://www.tobaccofreekids.org/problem/toll-us/new_mexico
2. <https://www.samhsa.gov/data/sites/default/files/NSDUH112/NSDUH112/SR112StateEstAdolCigUse2012.htm>
3. <https://data.youthrisk.org/substance-use.html#indicator-choice>
4. <https://youthrisk.org/publications/state-reports/2016-state-of-new-mexico-lgb-youth-report/>
5. <https://www.americashealthrankings.org/explore/annual/measure/eciguse/state/NM>
6. <https://youthrisk.org/publications/connections/yrrs-connections-factsheet-vaping-2019/>
7. Centers for Disease Control and Prevention. (2019). Tobacco Product Use Behaviors and Academic Grades. Retrieved from: https://www.cdc.gov/healthy-schools/health-academics/tobacco-and-grades.html?CDC_AAref_Val=https://www.cdc.gov/healthyschools/health_and_academics/tobacco_product_use.htm
8. Barnett T.A., Gauvin L., Lambert M., O'Loughlin J., Paradis G., McGrath J.J. (2007). The Influence of School Smoking Policies on Student Tobacco Use. *Archives of Pediatrics and Adolescent Medicine*, 161(9), 842-848
9. Ahrens, M. (January 2019). Home Fires Started by Smoking. NFPA Division of Fire Analysis and Research.
10. <https://youthrisk.org/publications/2021-yrrs-connections-factsheet-us-yrbs-and-nm-yrrs-comparisons/>
11. US Department of Health and Human Services. E-cigarette Use Among Youth and Young Adults: A Report of the Surgeon General [PDF – 8.47MB]. Atlanta, GA: US Department of Health and Human Services, CDC; 2016. Accessed July 27, 2018.