



State of Tennessee
Department of Children's Services
Administrative Policies and Procedures: 1.9

Subject:	Prohibition of Use of Tobacco and Smoking Products
Authority:	TCA 4-4-121, 37-5-105(3), 37-5-106, 37-5-112, 39-17-1501 <i>et seq.</i> , 39-17-1601 <i>et seq.</i> , and 39-17-1803; 20 U.S.C. §§ 6081, <i>et seq.</i> ; State of Tennessee, Property Services Management Directive 2513
Standards:	COA: PA-ASE 1.02
Application:	To All Department of Children's Services Employees and Contract Agency Providers
Policy Statement:	
Use of all smoking products, including electronic/vapor cigarettes is prohibited within fifty (50) feet of all entrances to state occupied buildings and facilities. "No Smoking" signs shall be prominently posted and properly maintained on each main building entrance and prominently displayed throughout the building to ensure that employees and the public are aware of the restriction. Use of all forms of tobacco products is prohibited within sight or smell of children/youth.	
Purpose:	
To ensure compliance with Tennessee state law bans on smoking in state owned or operated buildings, all motor vehicles that are owned, leased, or operated by the state, and public places; the federal Pro-Children Act of 1994; the Tennessee Children's Act for Clean Indoor Air; the Tennessee Prevention of Youth Access to Tobacco and Electronic Cigarettes Act; and the no smoking policy issued by the State of Tennessee, Property Services Management Directive 2513 – No Smoking in State-controlled buildings and facilities- state owned or leased.	
Procedures:	
A. Use of tobacco and smoking products by DCS employees	<ol style="list-style-type: none">1. DCS employees will not smoke within fifty (50) feet of the entrance to any state owned or operated building.2. DCS employees must not use any tobacco or smoking products within sight or smell of children/youth in any DCS office or facility or while transporting children/youth.3. Employees must not use tobacco or smoking products while outdoors within sight or smell of children/youth.4. Exterior areas of facilities/offices which fall outside of the fifty (50) foot prohibited area should be monitored daily for the removal of debris.5. Use of all forms of tobacco and smoking products is prohibited during DCS employee staff meetings or any meetings with children/youth and families.

	<p>6. Local policy governing the use of non-smoking tobacco products while in the employee's individual workspace and not within sight or smell of clients is at the discretion of the Regional Administrator/Juvenile Justice Statewide Director and contract provider agency management.</p> <p>7. The YDC Superintendent ensures Memo: Guidelines for Smoking and Non-Smoking Tobacco Products is posted and followed at the YDC which limits the use of smoking and non-smoking tobacco products to designated areas only and not within sight or smell of youth or parents.</p>
B. Use of tobacco products by youth in a DCS facility and contract provider facilities	<p>1. Youth in a YDC are not permitted to possess or use tobacco products. Tobacco products are considered as contraband as outlined in DCS policy 27.21, Contraband.</p> <p>2. Contract provider agencies and facilities or foster homes that contract with the Department must not allow children/youth within their custody or supervision to possess or use tobacco or smoking products.</p>
C. Visitors and volunteers	Volunteers and visitors must be made aware of and adhere to this policy at each facility/office location.
D. State Vehicles	Smoking is prohibited in all motor vehicles that are owned, leased, or operated by the State.

Forms:	None
Collateral documents:	Memo: Guidelines for Smoking and Non-Smoking Tobacco Products