WEST VIRGINIA CODE: §16-9A-4

§16-9A-4. Use of tobacco products, in certain areas of certain public schools prohibited; penalty.

Any person who uses any tobacco product in any building or part thereof used for instructional purposes, in any public school of this state, as defined in this code, or on any lot or grounds actually used for instructional purposes of any public school of this state while the public school is used or occupied for school purposes, is guilty of a misdemeanor, and, upon conviction thereof, shall be punished for each offense by a fine of not less than one nor more than $5: *Provided*, That this prohibition shall not be construed to prevent the use of any tobacco product, in any faculty lounge, staff lounge, faculty office or other area of the public school not used for instructional purposes: *Provided, however*, That students do not have access to the area: *Provided further*, That nothing contained in this section shall be construed to prevent any county board of education from promulgating rules and regulations that further restrict the use of tobacco products, in any form, from any other part or section of any public school building under its jurisdiction.

WV Legislature