

## SMOKING AND OTHER TOBACCO USE ON SCHOOL PREMISES

~~Due to the health hazards associated with smoking and other tobacco use, and in accordance with federal and state law, the Board of Education prohibits smoking and all other tobacco use in all school buildings, on school grounds, in any vehicle used to transport children or personnel and at any school function. The Board also prohibits the use of e-cigarettes in these locations.~~

Due to the health hazards associated with smoking, and in accordance with federal and state law, the Board of Education prohibits smoking and all other tobacco use, and use of an electronic cigarette or e-cigarette, in all school district buildings, on school grounds, and in any vehicle used to transport children or personnel. Smoking or tobacco use is also prohibited within 100 feet of all school entrances, exits and outdoor areas, except where that is a residence or residential property.

### DEFINITIONS

**Tobacco:** includes but is not limited to any cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product; any form of spit tobacco product, including but not limited to smokeless, dip, chew, and snuff.

**E-Cigarette:** ~~A personal vaporizer or electronic nicotine delivery system.~~ an electronic device that delivers vapor which is inhaled by an individual user (including vaporizers, vapor pipes, and vape pens), and shall include any refill, cartridge and any other component of such a device.

**School Property:** means any building, structure or vehicle owned, leased, or contracted by the School District.

**School Grounds:** means property surrounding buildings and structures, athletic grounds, parking lots, or any other outdoor property owned, leased, or contracted by the School District

**School Function:** means any school-sponsored extra-curricular, co-curricular or other school-sponsored event or activity, whether on or off of school grounds or school property.

### TOBACCO USE IS PROHIBITED

No person is permitted to use tobacco in any form on school property or grounds at any time, including non-school hours, or at any school-sponsored event or activity, whether on or off campus.

### POSTING OF SIGNS

~~This policy shall be prominently posted in each building, at designated outdoor locations on school premises (e.g. athletic fields) and in all district vehicles. Signs shall also be posted that include “No Smoking” or the international “No Smoking” symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it. The Board designates the Superintendent of Schools or his/her designee as the agent responsible for informing individuals smoking or otherwise using tobacco anywhere on school premises or in district vehicles that they are in violation of Article 13 of the Public Health Law and/or Section 409 of the Education Law and/or the federal Pro-Children Acts of 1994 and 2001.~~

The district's smoking policy shall be prominently posted in each building, at designated outdoor locations on school premises (e.g. athletic fields) and in all district vehicles. The Board designates the

## **SOUTH ORANGETOWN CENTRAL SCHOOL DISTRICT**

Superintendent of Schools or his/her designee as agent responsible for informing individuals smoking cigarettes or e-cigarettes, or using tobacco unlawfully that they are in violation of Article 13-E of the Public Health Law and/or Section 409 of the Education Law and/or the federal Pro-Children Acts of 1994 and 2001. Persons using e-cigarettes in violation of this policy will be asked to stop. Students and staff may be subject to consequences outlined in the Code of Conduct, and visitors or contractors may be asked to leave school property.

### **TOBACCO EDUCATION**

Instruction to discourage the use and misuse of tobacco shall be included in the health education program provided for all students.

### **TOBACCO PROMOTIONAL ITEMS/TOBACCO ADVERTISING**

Tobacco promotional items (e.g., brand names, logos and other identifiers) are prohibited on school grounds, in school vehicles, at school sponsored events, whether on or off of school property, and in school publications.

In addition, tobacco advertising is prohibited in all school-sponsored publications and at all school sponsored events.

### **LEGAL REFERENCES**

NYS Education Law, Article 9, Section 409. School building regulations in relation to health and safety.

NYS Education Law, Article 17, Section 804. Health education regarding alcohol, drugs, tobacco abuse and the prevention and detection of certain cancers.

NYS Department of Education, Commissioner's Regulations, Subchapter G, Part 135. Health, Physical Education and Recreation

NYS Public Health Law, Article 13-E, Section 1399. Regulation of smoking in certain public areas (Clean Indoor Air Act)

U.S. Department of Education—No Child Left Behind, Title IV C, Sections 4301 – 4304, Part A. Safe and Drug-Free Schools and Communities

Ref: Education Law §§409(2)  
Public Health Law Article 13-E  
Public Health Law §§206; 340; 347  
The Pro-Children Act of 2001, 20 U.S.C. §§1781 *et seq.*  
The Pro-Children Act of 1994, 20 U.S.C. §§6081 *et seq.*

*Adopted: June 17, 2010*

*Revised & Adopted: April 10, 2014*

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