

**SUBJECT: SMOKING/TOBACCO USE****School Grounds**

Tobacco use will not be permitted and no person will use tobacco on school grounds or within 100 feet of the entrances, exits, or outdoor areas of any public or private elementary or secondary schools. However, this does not apply to smoking in a residence, or within the real property boundary lines of residential real property. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the District's preschool, nursery school, elementary or secondary school's legally defined property boundaries as registered in the County Clerk's Office; as well as all District vehicles, including vehicles used to transport children or school personnel.

"Tobacco" is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, spit/spitless tobacco and any other smoking or tobacco product, (smokeless, dip, chew, snus and/or snuff) in any form.

The District also prohibits use of electronic cigarettes or e-cigarettes, and any refill, cartridges and any other component of an electronic cigarette or e-cigarette (collectively known as e-cigarette) on school grounds or in District vehicles.

The use of vaporizers or any other products containing nicotine, except for current FDA- approved smoking cessation products, are also prohibited.

**Off-School Grounds**

Tobacco use and e-cigarette use is prohibited by students at any school sponsored event or activity off school grounds.

**Posting/Notification of Policy**

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Use policy and signs prohibiting all forms of tobacco products in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke in a non-smoking area that they are in violation of the New York State Public Health Law, Education Law, the federal Pro-Children Act of 1994 and District policy.

The District will also ensure that this policy is communicated to staff, students, parents/guardians, volunteers, and visitors as deemed appropriate in order to orient all persons to the District's "No Smoking" Policy and environment.

**Prohibition of Tobacco Promotional Items/Tobacco Advertising**

Tobacco promotional items (e.g., brand names, logos and other identifiers) are prohibited:

(Continued)

**SUBJECT: SMOKING/TOBACCO USE (Cont'd.)**

- a) On school grounds;
- b) In school vehicles;
- c) At school sponsored events, including those that take place off school premises and in another state;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

In addition, tobacco advertising is also prohibited in all school sponsored publications and at all school sponsored events. The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

Safe and Drug-Free Schools and Communities Act, 20 USC § 7101 et seq.  
Pro-Children Act of 2001, 20 USC §§ 7181-7184, as amended by the Every Student  
Succeeds Act (ESSA) of 2015  
Education Law §§ 409, 2801(1) and 3020-a  
Public Health Law Article 13-E, Article 13-F, §§ 1399-aa(13), 1300-o

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment  
#3410 -- Code of Conduct  
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances  
#8211 -- Safety Conditions and Prevention Instruction  
District *Code of Conduct*

Adopted: 1-8-18