

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

~~Tobacco use will not be permitted and no person will~~ The use of tobacco products is prohibited on school grounds. Smoking and vaping are prohibited on school grounds ~~or~~ and within 100 feet of the entrances, exits, or outdoor areas of any ~~public or private elementary or secondary~~ of the District's schools. ~~However, this does not apply to smoking in a residence, or within the real property boundary lines of residential real property.~~ In addition, the use of tobacco products, smoking, and vaping are prohibited at any school-sponsored event or activity that occurs off school grounds, including those taking place in another state.

For purposes of this policy, the following definitions apply:

- a) Tobacco ~~"school~~ products means one or more cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, nicotine water, or any other tobacco products.
- b) Smoking means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance containing tobacco.
- c) Vaping means the use of an electronic cigarette.
- d) Electronic cigarette (or e-cigarette) means an electronic device delivering vapor inhaled by an individual user, and includes any refill, cartridge, and any other component of such a device.
- e) 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, as well as any 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~~ This policy does not apply to smoking or vaping in a residence, or within the real property boundary lines of residential real property.

~~—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/~~Public~~ 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 employees~~smoking and vaping on school grounds in accordance with applicable law. The District will also designate a school official to tell individuals ~~who smoke~~found smoking or vaping 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,~~ law and District policy.

The District will ~~also ensure that~~communicate this policy ~~is communicated~~ to staff, students, parents/guardians, volunteers, ~~and~~visitors, ~~as deemed appropriate in order to orient all persons to~~ contractors, and outside groups through means such as the District's ~~"No Smoking" Policy and environment~~Code of Conduct, student handbooks, newsletters, announcements, facilities use forms/agreements, and/or the prominent display of this policy in appropriate locations.

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~~any vehicles used to transport students or school personnel;
- c) At school-sponsored events or activities, including those that take place off school ~~premises and~~grounds, including in another state;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District's *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District's *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 §§ 6081-6084, 7971-7974, 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)n, 1399-o, 1399-p and 1399-aa~~

~~8 NYCRR §§ 155.5, 156.3~~

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment
~~#3410 -- Code of Conduct~~
 #7320 -- Alcohol, Tobacco, Drugs, and Other Substances
~~#8210 -- Safety Conditions and Prevention Instruction~~
 #8240 -- Instruction in Certain Subjects
 District *Code of Conduct*

Adopted: 8/5/96

Revised: 8/11/03; 8/6/07; 8/30/10; 8/26/13; 11/20/17