



Policy #5640

Page 1 of 2

Non-Instructional / Business Operations

SUBJECT: SMOKING/TOBACCO USE

School Grounds

Smoking/Tobacco use shall not be permitted and no person shall use tobacco on school grounds at any time. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds contained within the District's 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.

For purposes of this policy, smoking/tobacco use is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, electronic cigarette, vaping device and any other smoking product, and spit tobacco (smokeless, dip, chew and/or snuff) in any form. All smoking, tobacco products will be confiscated from students.

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 smoking/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 shall 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 Smoking/Tobacco Promotional Items and Smoking/Tobacco Advertising

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

- 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.



Policy #5640

Page 2 of 2

Non-Instructional / Business Operations

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

This prohibition of smoking/tobacco promotional items shall be implemented in accordance with the Code of Conduct and applicable collective bargaining agreements.

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

Safe and Drug-Free Schools and Communities Act, 20 United States Code (USC) Section 7101 et seq.
Pro-Children Act of 2001, as amended by the No Child Left Behind Act of 2001, 20 United States Code (USC) Sections 7181-7184
Education Law Sections 409, 2801(1) and 3020-a
Public Health Law Article 13-E

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment
#3410 -- Code of Conduct on School Property
#3413 -- Smoking on School Premises
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances (Students)
#8211 -- Prevention Instruction
District Code of Conduct on School Property

Re-Adopted: July 11, 2012
Revised: October 18, 2017
Adopted: July 5, 2022