

SUBJECT: SMOKING/TOBACCO POLICY

Policy Rationale

The Phoenix Central School District is aware of the importance of a tobacco-free school environment. The Centers for Disease Control and Prevention states that nearly all first use of tobacco occurs before high school and the youth who start using tobacco at an earlier age are more likely to develop long-term nicotine addiction. They are also more likely to use alcohol and illegal drugs than youth who do not use tobacco. The Phoenix Central School District is presented with the challenge of reducing and eliminating tobacco use and providing a positive learning environment free of negative influences, such as tobacco advertising, and exposure to unhealthy habits and perceptions. Therefore, the District acknowledges the importance of having a comprehensive tobacco policy that is consistently enforced to ensure a safe, healthy, and conducive environment for its students, faculty, staff, and visitors.

School Grounds, Other Areas, Facilities, and School-Sponsored Events

Tobacco use shall not be permitted and no person shall use, distribute, or sell tobacco, including any smoking device, on school grounds or at school-sponsored events. Additionally, no student is permitted to possess tobacco on school grounds or at school-sponsored events. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds 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 vehicles used to transport children or school personnel, or any other vehicle on school property including parking lots and student drop-off areas.

In those other areas or facilities, utilized by the district for any means, not governed by the smoking prohibition as authorized by the federal Pro-Children Act of 1994, the District shall adhere to the New York State Clean Indoor Air Act (Public Health Law Article 13-E) as newly revised by the Pro-Child Act of 1994.

For purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, E-Cigarette, and any other smoking product, and spit tobacco (smokeless, dip, chew, and/or snuff) in any form.

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Non-Instructional/Business Operations

Posting/Notification of Policy

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Policy and signs prohibiting all forms of tobacco products in District buildings and other appropriate locations, and will supply a copy of the Smoking/Tobacco Policy upon request to any current or prospective employee. All district employees are encouraged and empowered to tell individuals who smoke or use tobacco on school grounds that they are in violation of Article 13-E of the state Public Health Law, the federal Pro-Children Act of 1994, and District policy.

The District shall ensure that this policy is communicated to staff, students, parents/guardians, volunteers, and visitors at least annually, or more often if deemed appropriate, in order to orient all persons to the District's Smoking/Tobacco Policy.

Enforcement

Enforcement of this policy shall be equitable and consistent in accordance with the Smoking/Tobacco Policy enforcement procedures, student behavior code, and employee personnel policies.

Student violations of this policy will lead to disciplinary action up to and including suspension from school. Student completion of an educational activity may be assigned in addition to suspension. Parents will be notified of violations involving their child and subsequent action taken by the school.

Employee violations of this policy will lead to disciplinary action in accordance with personnel policies and may include verbal warning and/or written reprimand and/or suspension.

Violation by visitors (parents, community members, vendors, etc.) will result in appropriate sanctions as determined and imposed by the Superintendent and Board of Education.

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Non-Instructional/Business Operations

Prohibition of Tobacco Promotional Items/Tobacco Advertising

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-campus and in another state;
- d) in all school-sponsored publications;
- e) on clothing, shoes, accessories, gear, and school supplies.

This prohibition of tobacco promotional items shall be implemented 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 on all school grounds. The school district will make every effort to purchase selective binding editions (magazines free of tobacco advertising.)

Goals 2000: Educate America Act, (Pro-Children Act of 1994)
Public Health Law Article 13-E
Education Law Sections 409 and 3020-a

NOTE: Refer also to Policies #1500 -- Community Use of School Facilities
#5312 -- Prohibited Conduct
#5312.11 -- Alcohol, Tobacco, Drugs, and Other Substances
#4317 Teaching about Drugs, Alcohol and Tobacco
District Code of Conduct on School Property

Adopted: 7/24/02
Revised: 6/8/05
Revised: 5/23/07
Revised: 5/11/09
Reviewed: 3/14/2016

