

POLICY GUIDE

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[See POLICY ALERT Nos. 98, 158, 170, 188 and 199]

5533 PUPIL SMOKING

The Board of Education recognizes the use of tobacco presents a health hazard that can have serious implications both for the smoker and the nonsmoker and that smoking habits developed by the young may have lifelong ~~deleterious~~ **harmful** consequences.

For **the** purposes of this **P**olicy, "smoking" means the burning of, inhaling ~~the smoke from, exhaling the smoke~~ from, **exhaling the smoke from**, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, **including and** the use of smokeless tobacco and snuff, **or the inhaling or exhaling of smoke or vapor from an electronic smoking device.**

For the purpose of this Policy, "electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

For the purposes of this **P**olicy, **"school buildings" and "school grounds"** means and includes land, portions of land, structures, buildings, and vehicles, owned, operated, or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, **such as school wastewater treatment facilities, generating facilities, and any other central facilities** including, but not limited to, ~~administrative buildings, kitchens, and maintenance shops and garages.~~ **"School buildings" and "school grounds" also include athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. "School buildings" and "school grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and other recreational places owned by the** local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.



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Pupil Smoking

The Board prohibits smoking by pupils at any time **in school buildings and** on any school grounds ~~as defined above~~, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board.

A sign indicating smoking is prohibited **in school buildings and** on school grounds ~~as defined above~~ will be posted at each public entrance **of a school building** in accordance with law. The sign shall also indicate violators are subject to a fine. Pupils who violate the provisions of this **P**olicy shall be subject to appropriate disciplinary measures **in accordance with the district's Pupil Discipline/Code of Conduct** and may be subject to fines in accordance with law.

[Optional]

In the event a pupil is found to have violated this **P**olicy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).

[Optional]

A pupil found to have violated this **P**olicy and the law may be required to participate in additional educational programs to help the pupil understand the **harmful deleterious** effects **of upon smokers** and to discourage the use of tobacco products. These programs may include, but are not limited to, counseling, smoking information programs, and/or smoking cessation programs sponsored by this school district or available through approved outside agencies.

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall ~~by example and persuasion~~, make every reasonable effort to discourage pupils from developing the habit of smoking.

The Board of Education will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

N.J.S.A. 18A:40A-1

N.J.S.A. 26:3D-55 through 26:3D-63

N.J.A.C. 6A:16-1.3

N.J.A.C. **8:6-7.2; 8:6-9.1 through 8:6-9.5**

Second Reading: 19 September 2013

