

5533 PUPIL SMOKING (M)

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 harmful consequences.

For the purposes of this Policy, "smoking" means the burning of, inhaling 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 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 Policy, "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, kitchens, and maintenance shops. "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 local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

The Board prohibits smoking by pupils at any time in school buildings and on any school grounds, 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 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 Policy 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. Any pupil found to be smoking any form of electronic smoking device will be required to submit to a screening for controlled dangerous substances ("CDS") if the staff member who found the pupil using the device has reasonable suspicion that the pupil may be under the influence of CDS. Electronic smoking devices will be confiscated from those pupils found to be in possession of same. If the student is required to submit to a CDS screen and the screening result is positive for the presence of CDS, then the electronic smoking device will be tested for the presence of CDS.

A pupil found to have violated this Policy and the law may be required to participate in additional educational programs to help the pupil understand the harmful effects of smoking 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. In the event that a pupil is found to have violated this Policy 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. (c).

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall 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



POLICY

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