

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

Tobacco use shall not be permitted and no person shall use tobacco on "SWBOCES grounds" at any time. For purposes of this policy, "SWBOCES grounds" means any building, structure, and surrounding outdoor grounds contained within the SWBOCES' legally defined property boundaries as registered in the County Clerk's Office. This shall include property leased by SWBOCES, as well as all SWBOCES vehicles, including vehicles used to transport children or school personnel.

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

Posting/Notification of Policy

In compliance with the New York State Clean Indoor Air Act, the SWBOCES will prominently post its Smoking/Tobacco Use policy and signs prohibiting **all** forms of tobacco products in SWBOCES buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The SWBOCES 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 SWBOCES policy.

The SWBOCES 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 SWBOCES' "No Smoking" Policy and environment.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

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

- a) On SWBOCES grounds;
- b) In SWBOCES vehicles;
- c) At SWBOCES-sponsored events, including those that take place off SWBOCES premises and in another state;
- d) In SWBOCES publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the Southern Westchester BOCES Code of Conduct and applicable collective bargaining agreements.

(Continued)

POLICY

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Non-Instructional/Business
Operations

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

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

In addition, tobacco advertising is also prohibited in all SWBOCES-sponsored publications and at all SWBOCES 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 and 3020-a

Public Health Law Article 13-E

NOTE: Refer also to Policies #2230 -- Use of Southern Westchester BOCES Facilities
#2410 -- Code of Conduct on Southern Westchester BOCES Property
#6210 -- Student Conduct and Discipline
#6220 -- Alcohol, Tobacco, Drugs, and Other Substances (Students)
#7113 -- Prevention Instruction
Southern Westchester BOCES Code of Conduct on School Property

Adopted: 6/23/10