

COMPREHENSIVE TOBACCO POLICY

Rationale: The Board of Education recognizes that the use of tobacco in any form poses serious short- and long-term health risks to individuals. Research has demonstrated that tobacco use is the leading cause of preventable death in the United States, and if adolescents can be kept tobacco-free, most will main tobacco-free for the rest of their lives. The Comprehensive Tobacco Policy remains in effect at all times, 24 hours a day, and at all school activities on campus and off.

Team: Through the collaborative efforts of faculty, administration, staff, students, parents/guardians and the community as a whole, a comprehensive program has been developed addressing the use and promotion of tobacco products. This team works together to revise, update and improve the tobacco policy to ensure the health and well-being of students, staff, and visitors. It also ensures compliance to all applicable laws, including the Pro-Children Act of 2001, Section 4301 (Non-Smoking Policy for Children Services), the NYS Clean Indoor Air Act, the NYS Public Health Law Section 1399-0 and Education Law Section 409.

General

Tobacco Definition: For the purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, spit tobacco (smokeless, dip, chew and/or snuff) and any other tobacco product in any form. Also included is any paraphernalia relating to tobacco use such as lighters, matches, rolling papers, etc.

Prohibition of Tobacco Promotional Items/Tobacco Advertising: Tobacco promotional items with brand names, logos or any other identifiers along with tobacco advertising are prohibited on school grounds, in school vehicles, at school sponsored events, in school publications, or on clothing, shoes, accessories, gear and school supplies.

School Property Definition: Any building, structure or vehicle owned, leased, or contracted by HFM BOCES is considered school property.

School Grounds: Property surrounding buildings and structures, athletic grounds, parking lots, or any other outdoor property owned, leased, or contracted by HFM BOCES is considered to be school grounds.

Posting of Signs: Signs that outline the tobacco policy prohibiting all forms of tobacco use at any time will be posted at all primary entrances to school buildings used by the public and on school grounds where appropriate. A complete copy of this policy will be accessible from the central administration offices for those who wish to view or obtain a copy.

Tobacco Education: Instruction to discourage the use of tobacco shall be included in the health education provided for students in grades 8 -12. This will be taught by classroom teachers or staff trained in tobacco education programming.

Announcements: Announcements that cover the policy will be made at school sponsored events using P.A. systems or microphones as well as being included in print material handed out at events.

Dissemination: Students, parents/guardians, faculty, staff, and the community will annually be informed about the BOCES policy on Tobacco use/possession through such means as orientation meetings, class meetings, parent/student handbooks, faculty meetings, personnel manuals, newsletters and the web site.

Enforcement: All administrators, faculty, and staff will enforce the tobacco policy. Students are encouraged to inform school employees if they encounter tobacco use on the premises but are not expected to confront violators. Violators will be subject to disciplinary review and removal from the events if they are students or staff or may be asked to leave school grounds or the school event if they are members of the public.

Collaboration: School nurses, intervention staff, health educators, interested teachers and staff and appropriate community agencies will work to promote tobacco-free lifestyles through the use of such things as posters, bulletin boards, pamphlets, announcements, Tobacco Free Week, and other information sources to students, staff, faculty, parents/guardians and the community.

Students

HFM BOCES has a "closed campus" that limits the movement of students during the day to school buildings and grounds under the supervision of district employees.

Possession/Use/Distribution/Sale: Possession, use, distribution or sale of tobacco or related paraphernalia by students at any time on school property or at school-sponsored events at off-site facilities is prohibited. This includes, but is not limited to, inside all school buildings, surrounding outdoor grounds within school property boundaries, in school owned or leased vehicles, in vehicles on school property and at all school-sponsored events that occur off school property. Students are not allowed to wear clothing which promotes tobacco products. See the *Tobacco-Free School Enforcement Procedures* for more information.

Primary Prevention:

a) Preventing tobacco use will be a primary goal of a sequential grade 8 – 12 Health Education Program. Based on the "Principles of Effectiveness", the program will be incorporated into the total educational process and will be concerned with education and prevention.

b) Providing information to teachers, parents and community members regarding tobacco prevention among youth and the above mentioned components, through such means as newsletters, internet links and workshops.

c) Providing positive alternatives for students such as extra-curricular activities, membership in Reality Check, the annual Tobacco Free Week, and other school events that promote positive activities in tobacco-free environments.

Intervention: The intent of intervention is to eliminate any existing use of tobacco and to provide support services for those students in grades 8 - 12 who demonstrate that they are at high risk for use. The components of intervention will include, but will not be limited to:

- a. Providing cessation counseling and/or referral to community agencies for students who have demonstrated use or requested cessation assistance. Examples of Tobacco Prevention Programs available may be: At Open House, Parent conferences, One to One education programs, *Not-On-Tobacco (N-O-T)*, and classroom presentations with Tobacco Awareness lessons.
- b. Educating parents and guardians on how to use the Community Resource Services.

Disciplinary Measures: Disciplinary measures for students found to be possessing, using, distributing or selling tobacco or tobacco products will be defined by the school's Code of Conduct. A Tobacco Education Program will be offered as an Alternative to Suspension for the second and subsequent possession/use infractions. Students who are disciplined for any of these infractions will be referred to the intervention services such as voluntary cessation or tobacco awareness training.

Staff

All district employees will not use tobacco and/or tobacco paraphernalia in any form at any time within the school's buildings, on school grounds, while using school owned or leased vehicles, in vehicles while on school property or while at school events off campus, or any other time while they are acting as representatives of the school. Staff will be apprised of the policy at staff meetings, in staff handbooks and through the district policy manual. Employees who violate this policy may be subject to the full range of appropriate penalties or disciplinary action according to the regulations. See the *Tobacco-Free School Enforcement Procedures* for more information.

Cessation Groups/Counseling: Employees who violate the tobacco policy or who voluntarily seek assistance will be given information on smoking cessation self-help, cessation programs in the community, and the New York State Smokers' Quit line.

Staff Training: Staff training will be an on-going process including but not limited to:

- A. For all staff:
 1. Training in tobacco awareness in order to understand the importance of implementing and enforcing a comprehensive tobacco policy and the devastating effects of tobacco use on themselves and the youth they serve.
 2. Policy awareness training and their role in following and enforcing of the District's tobacco policy, including how to make disciplinary referrals and how and when to approach visitors who violate the policy.

Visitors

All visitors to the HFM BOCES campus will refrain from tobacco use in any form at any time within district buildings, on school grounds, while in school owned or leased vehicles, in personal vehicles while on school property or while at school events off campus. Visitors will be notified of the school's tobacco policy by posted signs and announcements at school events. Those who violate this policy may be asked to leave the school property and possibly be subject to referral to local law enforcement. See the *Tobacco-Free School Enforcement Procedures* for more information.

Development, Review, and Monitoring of Policy

Development: The Comprehensive Tobacco Policy was developed by the School's Tobacco School Policy Committee in conjunction with the Tobacco Free Healthy Schools community resource program and submitted to the Superintendent and the Board of Education for consideration.

Reviews and Monitoring: The School's Tobacco School Policy Committee will annually review the Tobacco Policy and make recommendations for change. Additionally, the committee will review the compliance with the policy and report to the Superintendent and the Board of Education.

Tobacco School Policy Committee: The committee consists of administrators, teachers, support personnel, students and community members. It meets a minimum of two times during the school year.

Legal References

NYS Education Law, Article 9, Section 409. School building regulations in relation to health and safety.

NYS Education Law, Article 17, Section 804. Health education regarding alcohol, drugs, tobacco abuse and the prevention and detection of certain cancers.

NYS Department of Education, Commissioner's Regulations, Subchapter G, Part 135. Health, Physical Education and Recreation.

NYS Public Health Law, Article 13-E, Section 1399. Regulation of smoking in certain public areas (Clean Indoor Air Act).

U.S. Department of Education – No Child Left Behind, Title IV C, Sections 4301-4304, Part A. Safe and Drug-Free Schools and Communities

TOBACCO-FREE SCHOOL ENFORCEMENT PROCEDURES

Student Violations

With any student, the first offense may provide a brief window of opportunity to intervene with the student. Rather than immediate suspension for violations, the administrative team will consider progressive discipline programs where consequences increase with the number of violations. With a progressive enforcement procedure violations are taken seriously, students are provided support and education to encourage cessation, and an effort is made to keep students in school and in class. Possible consequences include but may not be limited to:

- All confiscated tobacco materials may be disposed of;
- Parent/Guardian notification;
- Parent/Guardian conference with student and principal or designee;
- A Parent/Student/School contract: A behavioral contract on future behavior and consequences of a repeat violation of the policy;
- Support to the student: referring student to the school social worker, counselor, or nurse for health or counseling services for screening, information, counseling and referral;
- Educational Alternatives to Suspension programs: provides education on the addiction process, helps the student examine his/her tobacco use, and increases student's interest in quitting tobacco use. Participation is mandatory and is presented as an alternative to more serious punitive measures;
- Cessation Programs: Referrals to outside community resources is available for students who would like to quit tobacco use;
- School/Community service: This may be used as an alternative to punitive measures;
- Restriction from school activities and privileges;
- Disciplinary consequences may include, but are not limited to, the following: pass restriction, lunch detention, restriction of social privileges, in-school suspension, out-of-school suspension.

Staff Violations

All faculty and staff in the district are expected to comply with the school's policies and procedures in addition to abiding by State and federal law. Below are actions that may be taken if a staff member is using a tobacco product on school property, at a school event off campus, or in any other way while representing the district.

- Provide education and support on the impact of tobacco use and cessation options available to them through the school and community. A review of the Tobacco-Free School Policy, rationale for the policy, and staff member's role will be held.
- Disciplinary action: After the first offense, staff violations would be considered similar to a repeat violation of any other work rule or policy and subject to disciplinary action according to current personnel policies.

Violations by Parent/Guardians and Other Visitors

All visitors to the HFM BOCES campus are expected to comply with the school's policies and procedures in addition to abiding by State and Federal law. Below are actions that may be taken if a visitor is using a tobacco product on school property or at a school event off campus.

- Request individual to stop and refer to the Tobacco-Free School Policy;
- If he/she refuses, request that the individual leave school property or the site of school function and refer to the school policy;
- If individual refuses to leave or is a repeat violator, refer to local law enforcement;
- For visitors who regularly use the school for activities (e.g. community groups) who violate the policy, ask them to refrain from tobacco use. For a second violation of the policy, revoke the group's school-use privileges.

Any person suspected of selling, distributing or in any way dispensing tobacco products to students shall be referred to a law enforcement agency.