

5640	Smoking / Tobacco Use
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The Board of Education recognizes its responsibility to promote the health, welfare, and safety of students, staff and others on school property and at school sponsored activities. In light of scientific evidence that the use of tobacco/smoking is hazardous to health, and to be consistent with school curriculum and federal and state law, it is the intent of the Board to establish a tobacco/smoke-free environment.

In compliance with the federal Pro-Children Act of 1994, New York State Clean Indoor Air Act of 2003 (Public Health Law Article 13-E), and Ballston Spa Central School District File 7.5.5-Wellness Policy on Physical Activity and Nutrition, adopted September 2006, the District shall adhere to the following smoking/tobacco use policy:

For purpose of this policy, smoking is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, e-cigarette, “vape” or dab pen, personal vaporizer, and any other smoking product including cannabis or cannabinoid hemp; as well as spit tobacco, also known as smokeless, dip, chew, and snuff, and any other spit tobacco product in any form including powdered tobacco and nicotine water.

School Grounds

Smoking/tobacco use shall not be permitted and no person (including students, employees and visitors) shall smoke or use tobacco on school grounds at any time. For purposes of this policy, “school grounds” means any building structure, and surrounding outdoor grounds contained within the District’s preschool, elementary or secondary school, District Offices and legally defined property boundaries as registered in the County Clerk’s Office; as well as any vehicles used to transport children or school personnel.

Indoor Facilities

The District shall not permit tobacco use at any time within any indoor facility owned or leased or contracted for and utilized by the District for provision of routine or regular kindergarten, elementary, or secondary education or library services to children. The District also prohibits smoking in indoor facilities in which regular or routine health care, day care or early childhood programs are provided to children.

The term “indoor facility,” for purposes of this policy, means a building that is enclosed.

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Other Areas or Facilities

In those other areas or facilities 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 2003 (Public Health Law Article 13-E).

Posting/Notification of Policy

Signs communicating this policy shall be prominently posted and properly maintained where tobacco use and smoking are regulated by this policy, including all building entrances, grounds, and vehicles. In compliance with the New York State Clean Indoor Air Act of 2003, the District will prominently post its Smoking/Tobacco Use policy in District buildings and supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke or use tobacco in a non-smoking area that they are in violation of Article 13-E of the state Public Health Law and the federal Pro-Children Act of 1994.

Safe and Drug-Free Schools and Communities Act, 20 USC Section 7101 et seq.

Pro-Children Act of 2001, as amended by the No Child Left Behind Act of 2001, 20 USC Sections 7181-7184

Education Law Sections 409, 2801(1) and 3020-a

Public Health Law Article 13-E

Adoption Date: 2/09/22