Monroe 2-Orleans BOCES Policy
Series 4000 – Non-Instructional/Business Operations
Policy #4550 – SMOKING/TOBACCO USE

School Grounds

Tobacco use shall not be permitted on BOCES leased or owned grounds at any time or within 100 feet of the entrances, exits, or outdoor areas. However, this shall not apply to a residence or within the real property boundary line of such residential property. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds including entrances and exits owned or leased by the BOCES; as well as any vehicles used to transport students or BOCES personnel.

Tobacco shall be defined as any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, and any other smoking product matter or substance that contains tobacco, and spit tobaccos, (smokeless, dip chew and/or snuff), in any form. The use of e-cigarettes and any other products containing nicotine, except for current FDA approved smoking cessation products, is also prohibited.

Posting/Notification of Policy

In compliance with the New York State Clean Indoor Air Act, the BOCES will prominently post its Smoking/Tobacco Use policy and signs prohibiting all forms of tobacco in all buildings and other locations, and supply a copy of the policy upon request to any current or prospective employee. The BOCES will designate a school official as the agent responsible to inform individuals who smoke that they are in violation of Article 13-E of the state Public Health Law and the federal Pro-Children Act of 1994, and BOCES Policy. Both BOCES and the individual can face a monetary penalty for an individual's failure to comply. The agent must inform the individual to stop smoking.

Visitors

Visitors to the BOCES facilities or BOCES sponsored events are governed by this smoke and tobacco-free policy. BOCES shall communicate this policy to students, staff, visitors and parents/legal guardians, as is deemed appropriate to orient them to the policy.

Prohibition of Tobacco Promotional Items and Advertising

Tobacco advertising shall be prohibited in all school-sponsored publications and at all school-sponsored events. Tobacco promoted items such as brand names, logos, identifiers, shall be prohibited, in accordance with the student code of conduct:

a. On school grounds
b. In school vehicles
c. At school-sponsored events
d. In school publications
e. On clothing, shoes, accessories, gear and/or school supplies.

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20 U.S.C. § 7181-7184

20 U.S.C. § 7101 et seq.

Public Health Law Article 13-E

Education Law Sections 409 and 3020-a

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