

## MEMORANDUM

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**TO:** NWABSD Board of Education  
Members

**DATE:** June 6, 2023

**NUMBER:** 23-127

**FR:** Office of the Superintendent

**SUBJECT:** Approval of Proposed  
Revisions to BP 5131.62,  
Students, Tobacco; First  
Reading

**STRATEGIC PLAN/BOARD GOAL:**

Improve Stakeholder Communication.

**ABSTRACT:**

Board policy revisions require Board approval.

**ISSUE:**

At issue is to approve the first reading of the proposed revisions to BP 5131.62, Students, Tobacco and open for public comments.

**BACKGROUND AND/OR PERTINENT INFORMATION:**

The Superintendent/designee presents drafts or suggestions for board policy revisions when changes in law occur or when specific need occurs. Policy revisions shall normally be given two readings prior to adoption by the Board. This is the first reading of the proposed revisions to BP 5131.62, Students, Tobacco.

The Board Policy Committee reviewed the proposed changes, recommends approval and to open for public comments.

**ALTERNATIVES:**

1. Approve the first reading to the proposed revisions to BP 5131.62, Students, Tobacco as presented and open for public comments;
2. Do not approve first reading to the proposed revisions to BP 5131.62 as presented;
3. Take no final action.

**ADMINISTRATION'S RECOMMENDATION:**

The administration recommends the Board approve the first reading to the proposed revisions to BP 5131.62, Students, Tobacco as presented and open for public comments.

## BP 5131.62 TOBACCO

Note: AS 18.35.20 prohibits the designation of smoking sections for students. It is unlawful for minors to give, sell, use, or possess cigarettes or other tobacco products. AS 11.76.100-.105. Minors include all persons under 19 years of age.

Tobacco useSmoking presents a health hazard ~~with which can have~~ serious consequences both for ~~tobacco users~~~~the smoker~~ and ~~non-users alike~~~~the nonsmoker~~. Students shall not be allowed to smoke, vape, chew or possess tobacco or nicotine products on school property or during school hours, at school-sponsored events, or under the supervision of district employees. ~~Students who violate this policy shall be subject to disciplinary procedures which may result in suspension from school.~~

For the purposes of this policy, "tobacco" is defined to include tobacco in any form and/or any nicotine delivering devices. This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

Clothing, bags, hats and other personal items used by students to display, promote or advertise tobacco products are prohibited on district grounds, at school-sponsored activities or in district vehicles. Tobacco advertising is prohibited in all school-sponsored publications, in all school buildings, and at all school-sponsored events. District acceptance of gifts or funds from the tobacco industry is similarly prohibited.

Student violations of this policy will lead to disciplinary action up to and including suspension. The district may provide positive alternatives to suspension, such as in-school suspension, tobacco educational programs, school and community service, and promotion of cessation resources. Students may also be subject to removal from any or all extracurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, school sponsored travel etc.). A referral to law enforcement may be made. Parents shall be notified of all violations involving their student and action taken by the school.

The District may provide instruction regarding the effects of tobacco use on the human body and may take steps to discourage students from tobacco use.

Staff responsible for teaching tobacco use prevention will be encouraged when funds/resources allow to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, effective instructional techniques and program-specific activities. As part of the district's tobacco use prevention activities, the Superintendent shall recommend to the curriculum committee the use of evidence-based instructional programs as recommended by the Centers for Disease Control and Prevention, or approved by the Substance Abuse and Mental Health Services Administration (SAMHSA). Programs will be integrated within the health education program and be age- and developmentally-appropriate. Instruction should be

provided at every level, pre-kindergarten through grade 12, with particular emphasis on grades six through eight.

(cf. 5144.1 - Suspension and Expulsion)

Note: AS 14.30.360 encourages the establishment of a comprehensive health education program.

~~The Board may provide instruction regarding the effects of smoking on the human body and may take steps to discourage students to smoking.~~

(cf. 51423514 - Safety)

(cf. 3513.3 - Tobacco-free Schools/Smoking)

Legal Reference:

ALASKA STATUTES

11.76.100-.105 Selling or giving tobacco to a minor; possession of tobacco by a minor

14.30.360 Curriculum (Health and Safety Education)

18.35.300 - 18.35.330 Health nuisances (smoking)

Adopted: April 28, 2004

Revised: (Date of Revision)

**Northwest Arctic Borough School District**