

## **Document Status: Draft**

Policy Required: No

### **BP 3513.3 TOBACCO-FREE SCHOOLS/SMOKING**

#### **OPTION 1: Tobacco-Free Schools**

Note: The federal Every Student Succeeds Act prohibits smoking in district facilities. The following language extends this to prohibit tobacco use in school buildings, on school grounds and parking areas, at school events and in vehicles used for transporting students. The ability of the Board to adopt this following policy may be restricted by collective bargaining agreements.

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff and others on district property and at school-sponsored activities. Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. As role models, district employees should demonstrate conduct that is consistent with school programs to discourage students from using tobacco products.

In accordance with law and to promote the health and safety of all students and staff, it is the intent of the Board to establish a tobacco-free environment. Consequently, it is a violation for students, staff, visitors, contractors and all others to use, distribute or sell tobacco, including any smoking device, on district premises, at school-sponsored activities on or off district premises and in district-owned, rented or leased vehicles.

Staff and/or all others authorized to use district vehicles to transport district students to school sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

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.

This policy shall be in effect and enforceable at all times regardless of whether or not school is in session. The Superintendent or designee shall post appropriate signs prohibiting tobacco use in accordance with law.

The Superintendent may develop administrative regulations as necessary to implement this policy, including provisions for notification of the district's policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs; disciplinary consequences; and procedures for filing and handling complaints about violations of the district's policy.

The Superintendent may consult with local officials to promote enforcement of law that prohibits the possession of tobacco by minors on or off district grounds.

Note: Federal law does permit the use of tobacco products in a private residence. The following language clarifies whether or not your district will permit smoking in district-provided housing.

This prohibition does/does not apply to any private residence owned or leased by the district for housing purposes.

(cf. 5131.62 - Tobacco)

## **OPTION 2: Smoking**

Note: The following optional policy establishes designated areas where employees may smoke. [A.S. 18.35.305](#) allows designated smoking areas if properly ventilated, located where minors are not permitted, and a collective bargaining agreement requires the designation of an employee smoking area. Federal law requires that the designated smoking area, if any, be outside district facilities.

The School Board recognizes that secondhand smoke is a major contributor to indoor air pollution and presents a health risk to all.

Smoking is prohibited in public schools and meetings except as allowed by law in private residences and designated employee smoking areas. District employees and adult visitors may smoke on school grounds in areas designated by the Superintendent or designee. Such areas shall be properly ventilated and prohibited to minors.

### **Legal Reference:**

#### **ALASKA STATUTES**

[18.35.300-18.35.330](#) Health nuisances

[20 U.S.C. 7973](#), Nonsmoking Policy for Children's Services

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**AASB POLICYREFERENCE MANUAL**

**9/92**