



CITY SCHOOL DISTRICT OF ALBANY SMOKING - USE OF TOBACCO PRODUCTS

RESOLVED, that the policy of the Board of Education of the City School District of the City of Albany, New York regarding smoking, or use of other tobacco products, on the property or premises owned or operated by said school district shall be to maintain smoke-free school grounds and facilities in accordance with New York's Clean Indoor Air Act (Article 13-E of the Public Health Law), New York's Education Law (§§ 409 and 3020-a), and the federal Pro-Children Act of 1994.

Pursuant to said legislation, it shall be the policy of the Board of Education of the City School District of the City of Albany, New York as follows:

Smoking, or use of other tobacco products, shall be prohibited by all persons, including students and staff, in all areas of all District owned or leased buildings and surrounding grounds. Smoking, or use of other tobacco products, shall also be prohibited in all District owned or leased vehicles.

Smoking, or other use of tobacco products, shall also be prohibited at any officially sanctioned school event which takes place off school grounds. For example, smoking shall not be permitted in the room(s) secured by the district or a school related group for a school function. Smoking, or other use of tobacco products, may be permitted in other areas of the off-site facility if permitted by law and by operators of the off-site facility.

Employees found smoking outside designated smoking areas or during school hours shall be considered in violation of this policy. Employees in violation of this policy shall be subject to discipline, up to and including dismissal, in accordance with state law and any applicable collective bargaining agreement.

Students found violating this policy shall be referred to the County Public Health Department for prosecution pursuant to the Public Health Law, and may be subject to discipline penalties in accordance with the Student Disciplinary Code.

Other individuals found violating this policy shall be asked to cease and desist and may be asked to leave the school premises if they do not comply. If an individual continues to smoke or use tobacco and refuses to leave the school premises, the police authorities may be contacted to remove such individual.

Copies of this policy shall be posted prominently in the Central Office of the District and at all district facilities, given to all current employees, and distributed to all new employees upon hiring. Notice of the prohibition against smoking shall also be posted on all school grounds to inform the general public.

Anyone desiring information or clarification relative to these policies relating to smoking, or use of other tobacco products, should contact their appropriate supervisory personnel. Pursuant to the Public Health Law, the Board shall designate Roger W. George as the agent of the district to be responsible for informing individuals who are smoking or otherwise using tobacco products in violation of this policy that they are acting in violation of this policy and of Article 13 of the Public Health Law of the State of New York.

This policy may be amended from time to time by resolution of the Board of Education. All amendments shall be in conformance with Federal and New York State Law, and employees shall be notified accordingly.

All individuals on school premises share in the responsibility for adhering to and enforcing this policy.

**STUDENT REGULATIONS:
SMOKING/USE OF TOBACCO PRODUCTS POLICY**

1. Any student who violates the District's smoking policy shall be referred to the County Public Health Department for prosecution pursuant to the Public Health Law.
2. In addition to referral to the County Public Health Department, students may face additional penalties, including, but not limited to:
 - a. after school detention
 - b. in-school suspension
 - c. out of school suspension
 - d. suspension or removal from extra-curricular activities in accordance with the District's extra-curricular activity policies (including but not limited to participation in school trips, dances, the prom, sports, clubs and other activities)
3. The first time a student violates the district's smoking policy, (s)he will be given the opportunity to attend a smoking cessation program instead of receiving a detention or suspension. A student's participation in the cessation program does not prohibit the district from enforcing its extra-curricular policies against the student. For example, a student-athlete caught smoking may still be suspended from his/her team, even if (s)he attends the cessation program.

SUPERINTENDENT'S PROVISION FOR PREVENTATIVE PROGRAMMING

Understanding the severity of the consequences when a student violates the Smoking/Use of Tobacco Products Policy, the City School District of Albany will institute preventive strategies and activities aimed at educating students about the hazards of tobacco use.

- Mandatory coverage of this topic within the Know Your Body Curriculum K-6.
- Mandatory coverage of this topic within the Comprehensive Health Curriculum 7-12.
- Annual Health Fair held at Albany High School will feature a segment on the prevention of smoking and tobacco use.
- Ongoing training of student assistance counselors on the secondary level in smoking cessation programs and alternatives to suspension.
- Elementary schools will conduct a project on smoking prevention.

STATEMENT OF NON-DISCRIMINATION

The City School District of Albany does not discriminate on the basis of race, color, national origin, creed, sex and age or handicap as defined by law, and is in compliance with Title IX of the Education Amendments of 1972 and with Section 504 of the Rehabilitation Act of 1973. The compliance officer for Title IX is Assistant to the Superintendent for Human Resources, Linda Jackson-Chalmers, who can be reached at (518) 475-6055, weekdays from 8:30 a.m. to 4:30 p.m.