

POLICY

NEPTUNE CITY **BOARD OF EDUCATION**

Property

7434. SMOKING ON SCHOOL GROUNDS (M)

The Board of Education believes that the right of persons to smoke must be balanced against the right of nonsmokers to breath air untainted by tobacco smoke.

For purposes of this policy, “smoking” means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance that contains tobacco.

For the purposes of this policy, “school grounds” means and includes land, portions of land, structures, buildings, and vehicles when used for the provision of academic or extracurricular programs by the district or community provider and structures that support these buildings, including, but not limited to administrative buildings, kitchens, maintenance shops, and garages. “School grounds” also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

In accordance with law, the Board prohibits smoking at all times anywhere on school grounds, except as part of classroom instruction or a theatrical production.

Notwithstanding any provision of this policy, smoking by pupils is governed by Policy No. 5533.

Notice that smoking is prohibited on school grounds as defined above will be posted at each public entrance in accordance with law. The Principal of each school building is authorized to report violations, in accordance with law, to the Board of Health. Failure to report violations may subject the Principal to fines in accordance with N.J.S.A. 26:3D-20. The Building Principal will not be liable for a fine if he/she has taken reasonable steps to enforce the prohibition on smoking in school buildings or on school grounds. Pupils and district employees who violate the provisions of this policy shall be subject to appropriate disciplinary measures.

N.J.S.A. 26:3D-15 through 26:3D-20

N.J.A.C. 6A:16-1.3

Adopted: July 28, 2009