

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PROPERTY
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Smoking on School Grounds
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7434 SMOKING ON SCHOOL GROUNDS

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

For purposes of this policy, "smoking" means the burning of, inhaling the smoke from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked including the use of smokeless tobacco and snuff, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

For the purpose of this Policy, "electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

For the purposes of this policy, "school grounds" means and includes land, portions of land, structures, buildings, and vehicles owned, operated or used for the provision of academic or extracurricular programs sponsored 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 buildings" and "school grounds" also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. "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.

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

Sign indicating smoking is prohibited on school grounds as defined above, will be posted in accordance with law, and shall also indicate violators are subject to a fine. Pupils and district employees who violate the provisions of this policy shall be subject to appropriate disciplinary measures and may be subject to fines in accordance with law.

The Principal or designee may order the departure and removal of any person who continues to smoke in violation of this policy or law after being ordered to stop smoking on school grounds and may request the assistance of law enforcement to accomplish this departure and removal.

In the event the person is found to have violated this policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:69.1(c).†

The Board of Education will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through 26:3D-63.

N.J.S.A. 26:3D-55 through 26:3D-63

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

N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

Initial Adoption: May 3, 2010

First Reading: ~~April 19, 2010~~ March 10, 2018

Second Reading: ~~May 3, 2010~~ March 19, 2018

Adoption: ~~May 3, 2010~~