

CHERRY HILL PUBLIC SCHOOLS

Cherry Hill, New Jersey

T-14

ADMINISTRATIVE PROCEDURE USE AND POSSESSION OF TOBACCO

1. Philosophy

In consideration of the reports of the Surgeon General of the United States and the laws of New Jersey, the rights of nonsmokers to breathe clean air should supersede the right of a smoker to smoke. Tobacco smoke /tobacco use in any form is a substantial health hazard, therefore, the Board of Education has taken the position that smoking is detrimental to the health and well-being of students and staff and forbids smoking, chewing, of tobacco. In addition the Board of Education bans the possession of tobacco products in plain view. The purpose of this procedure is to deter students from smoking and using tobacco in any form. The purpose of this procedure is to establish guidelines for the implementation of policies 3515 and 5131.6.

2. Definitions

USAGE

For the purpose of these procedures and school-imposed sanctions, the use of tobacco is defined as the use of any cigarette, pipe, cigar, chewing tobacco, smokeless tobacco, snuff, or related tobacco product. Smoking means the burning or carrying of a lighted cigarette, pipe, cigar, or any other matter or material that contains tobacco, this also includes the use of electronic cigarettes and other electronic smoking devices Smoking will result in both school and legal sanctions which may include referral to the local board of health or Commissioner of Health.

POSSESSION

For the purpose of these procedures and school imposed sanctions, tobacco products prohibited are defined as any cigarette, pipe, cigar, chewing tobacco, smokeless tobacco, snuff or related tobacco product or any other matter or material that contains tobacco, which may include electronic smoking devices. Possession of tobacco products in plain view will result in school sanctions.

3. Scope

Students shall not use/possess any product containing tobacco in school, while on school property, at any school bus stop, or at a school-sponsored event. "School" shall be defined as:

- a.) On school property, school grounds,
- b.) At any place where an interscholastic or extra curricular contest is taking place,

- c.) During the course of any trip or activity sponsored by the Board of Education or its authorized agents, or
- d.) Upon school transportation; busses/other vehicles at any time.

4. Enforcement

All school staff shall report all violations of student tobacco use to the building Principal or his/her designee. The Principal or his or her designee is responsible for the implementation, monitoring and evaluation of this Administrative Procedure. Third and subsequent violations will be viewed as defiance, insubordination, and/or willful disobedience. [(over)]

5. Due Process

The Principal or designee shall notify the student, and the parent/guardian of any student, suspected of/or found to be in violation of Board of Education Policies 3515 and 5131.6 for the use or possession of tobacco in plain view. . The student will adhere to the penalties for the use/possession of tobacco.

- a. Students caught possessing in plain view any material, paraphernalia, or product containing tobacco shall be required to relinquish such materials or products to the building Principal or his/her designee. Confiscated items shall not be returned to either the student or parent/guardian.
- b. Each Principal shall submit a monthly report to the Superintendent detailing all cases of use and/or possession of tobacco products. The report shall be by grade level and indicate first, second, etc. offenses.
- c. The policies and procedures on the use and/or possession of tobacco shall be reviewed annually by the Administration and the Board of Education.
- d. A summary of the policies and procedures on the use and/or possession of tobacco shall be in visible school locations, on the district and school websites and placed in each school's faculty handbook, student/parent handbook, and reviewed each year during student and parent orientations and/or at other appropriate meetings among parents/guardians, students and teachers. Coaches will also educate their athletes before each athletic season on the dangers of the use of tobacco and tobacco-related products.
- e. The following penalties shall be in effect on a cumulative annual basis for the use/possession of any tobacco product.

USE OF TOBACCO PRODUCTS

The following penalties shall be in effect on an annual basis [(9th through 12th grades)] for the **use** of any tobacco product. [In the case of a classified student who is eligible, the district shall comply with the regulations of N.J.A.C. 6A: 14-2.8.]

First Offense

- Two (2) days In-School Suspension (where available)/Saturday School (where available)/Administrative Detention.
- The student will be encouraged, but not required to participate in a smoking cessation/educational program at the parent’s/guardian’s expense.
- Parent Conference with Principal/Assistant Principal, Campus Police**; Written Notification/Warning Document Signed (see Appendix A)
- Referral to the Student Assistance Counselor –SAC (where available)/School Counselor.

** The written Notification/Warning Document shall be shared with the student and the parent/guardian(s) and signed by same, the principal/assistant principal, and the campus police at the initial conference. The Campus Police are only involved for the purpose of the sharing and signing of the Notification/Warning Document.

**Second Offense
And Subsequent Offense**

- Three (3) Days In-School Suspension (where available)/Saturday School (where available)/Administrative Detention.
- The student will be required to participate in a smoking cessation/educational program at the parent’s/guardian’s expense.
- Parent Conference with the Principal, Complaint signed by the Campus Police**;
- Written Notification/Warning Document Signed and Sent to Municipal Court(see Appendix A).
- Referral to the SAC (where available)/ School Counselor.
- Referral to the local board of health.

** Campus Police involved for the purpose of signing and sending a complaint which will include recommendations to the court for school/community service and possible fine to the Municipal Court.

POSSESSION OF TOBACCO PRODUCTS

The following penalties shall be in effect on an annual basis for the possession in plain view of any tobacco product

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| First Offense | -1 Day In-School Suspension (where available)/Administrative Detention/Saturday_School (where available).
-Parent Conference with the Principal/Assistant Principal
-The student will be encouraged but not required to attend a smoking cessation/educational program at the parent/guardian's expense.
-Referral to the Student Assistance Counselor-SAC (where available)/School Counselor |
| Second Offense | -2 days In-School Suspension (where available)/Saturday School (where available)/Administrative Detention
-Parent Conference with the Principal/Assistant Principal.
--The student will be required to attend a smoking cessation/educational program at the parent/guardian's expense.
-Referral to the Student Assistance Counselor-SAC (where available)/School Counselor. |
| Third Offense | Disciplinary action for Willful Disobedience with Parent Conference. |

Related Policies and Procedure:

- Policy 3515: No Smoking
- Policy 5131.6: Substance Abuse: Drugs, Alcohol and Tobacco
- Procedure D-8: Substance Abuse

Adopted: September 1998

Revised: 7/25/00, 8/22,00,1/23/01, 10/23/01, 11/26/02, 8/25/09, 5/25/10