

2017

5640  
1 of 2Non-Instructional/Business  
Operations**SUBJECT: SMOKING/TOBACCO USE****School Grounds**

Tobacco use will not be permitted and no person will use tobacco on school grounds or within 100 feet of the entrances, exits, or outdoor areas of any public or private elementary or secondary schools. However, this does not apply to smoking in a residence, or within the real property boundary lines of residential real property. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the Port Jervis City School District's preschool, nursery school, elementary or secondary school's legally defined property boundaries as registered in the County Clerk's Office; as well as all District vehicles, including vehicles used to transport children or school personnel.

Similarly, "Tobacco" is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, spit/spitless tobacco and any other smoking or tobacco product, (smokeless, dip, chew, snus and/or snuff) in any form.

The District also prohibits use of electronic cigarettes or e-cigarettes, and any refill, cartridges and any other component of an electronic cigarette or e-cigarette (collectively known as e-cigarette) on school grounds or in District vehicles.

~~It is the policy of the District that the use of e-cigarettes, vaporizers, and~~ The use of vaporizers or any other products containing nicotine, except for current FDA-approved smoking cessation products, are also prohibited.

**Off-School Grounds**

Tobacco use and e-cigarette use is prohibited by students at any school sponsored event or activity off school grounds.

**Posting/Notification of Policy**

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Use policy and signs prohibiting all forms of tobacco products in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke in a non-smoking area that they are in violation of the New York State Public Health Law, Education Law, the federal Pro-Children Act of 1994, and District policy.

The District will also ensure that this policy is communicated to staff, students, parents/guardians, volunteers, and visitors as deemed appropriate in order to orient all persons to the District's "No Smoking" Policy and environment.

(Continued)

**SUBJECT: SMOKING/TOBACCO USE (Cont'd.)****Prohibition of Tobacco Promotional Items/Tobacco Advertising**

Tobacco promotional items (e.g., brand names, logos, and other identifiers) are prohibited:

- a) On school grounds;
- b) In school vehicles;
- c) At school sponsored events, including those that take place off school premises and in another state;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

In addition, tobacco advertising is also prohibited in all school sponsored publications and at all school sponsored events. The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

Safe and Drug-Free Schools and Communities Act, 20 USC § 7101 et seq.  
Pro-Children Act of 2001, 20 USC §§ 7181-7184, as amended by the Every Student Succeeds Act (ESSA) of 2015  
Education Law §§ 409, 2801(1) and 3020-a  
Public Health Law Article 13-E, Article 13-F, §§ 1399-aa(13), 1300-o

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment  
#3410 -- Code of Conduct on School Property  
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances  
#8210 -- Safety Conditions and Prevention Instruction  
District *Code of Conduct*

1<sup>st</sup> Reading: 12/12/17

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Non-Instructional/Business  
Operations**SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE SCHOOL DISTRICT AND ON SCHOOL BUSES**

It is the Port Jervis Board of Education's responsibility to ensure the safety of the District's students, staff, facilities, and property. While the Board of Education recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property including in school buildings, school facilities, as well as on school buses, when necessary. These surveillance cameras will help to assist the Board in maintaining the overall safety and welfare of the District's students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities.

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Audio recordings will not be utilized by the District officials, however, this prohibition may not preclude the use of audio recordings by law enforcement officials in accordance with their official duties or as otherwise authorized by law.

**Disciplinary Proceedings**

Video recordings or footage from District surveillance cameras may be used in student or employee disciplinary proceedings, as appropriate.

**Signage/Notification**

The District will place signage at entrances to the school campus or at major entrances into school buildings notifying students, staff, as well as any visitors of the District's use of surveillance cameras. Students and staff will also receive additional notification, as deemed appropriate by the Superintendent, regarding the use of its surveillance cameras through means such as publication in the District calendar, employee handbook, and/or the student handbook.

**Maintenance of Video Recordings**

Any video surveillance recording in the schools, on school buses, or on school property, on tape, CD, or digitally, will be the sole property of the District and stored in its original form and in a secure location to avoid tampering and also to ensure its confidentiality in accordance with relevant law and regulations.

In addition, to the extent that any video images create student or personnel records, the District will comply with all applicable state and federal laws related to record retention, record maintenance, and record disclosure, including the Family Educational Rights and Privacy Act ("FERPA").

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Personnel

**SUBJECT: EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION**

**Personnel Records**

Administrative regulations have been developed to implement the terms of this policy to maintain a personnel file for each teacher, administrator and support staff member employed by the District.

Regulations have also been developed for addressing the inspection by District employees of their personnel files.

**Release of Personnel Information**

All steps should be taken to protect the privacy of the employees of the Board of Education. To ensure the individual's privacy, directory or confidential information should not be shared with a third party except in the following situations:

- a) When members of the Board of Education need information from the employee's personnel record to aid them in performing their legal responsibilities in such matters as appointments, assignment, promotions, demotions, remuneration, discipline, dismissal or to aid in the development and implementation of personnel policy.
- b) When the employee grants permission.

Procedures for obtaining consent for release of records to third parties shall be developed by the administration.

**Release of Information Concerning Former Employees**

The Port Jervis City School District shall not release information concerning the employment records, personnel file or past performance of a former employee, unless such information is required to be disclosed by law. Only the initial and final dates of employment and the position held shall be provided through a written response to a written request. The former employee may authorize the release of any additional information.

8 New York Code of Rules and Regulations (NYCRR)  
Part 84  
Public Officers Law Section 87

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Students

**SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES**

The Port Jervis City School District recognizes that the misuse of alcohol, drugs, tobacco, electronic cigarettes (e-cigarettes), and other illegal substances is a serious problem with legal, physical, emotional, and social implications for our students, as well as the entire community. Therefore, the consumption, sharing, selling, use, or possession of alcoholic beverages, tobacco products, e-cigarettes, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of these drugs is prohibited at any school-sponsored function, on school grounds, and on school buses at all times. The unauthorized use or misuse of prescription and over-the-counter drugs is also prohibited.

Students are not permitted to be under the influence of alcohol or other prohibited substances on school grounds or at school-sponsored events. A school-sponsored function includes a school sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place.

**Smoking**

Smoking is not permitted and no person is permitted to smoke within 100 feet of the entrance, exits, or outdoor areas of any public or private elementary or secondary schools. However, this prohibition does not apply to smoking in a residence or within the real property boundary lines of residential real property. Similarly, the use of e-cigarettes is prohibited on school grounds, as defined in Public Health Law.

**Non-Medical Use of Prescription Drugs**

Non-medical use of prescription drugs is prohibited. If a student is found to be in possession of these substances, he or she will be disciplined in accordance with the District *Code of Conduct*.

**Disciplinary Measures**

Disciplinary measures for students consuming, sharing, selling, using, or possessing alcoholic beverages, tobacco products, e-cigarettes, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of these drugs are outlined in the District *Code of Conduct*.

Education Law §§ 409 and 2801(1)  
Public Health Law 1399-o

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials, and Equipment  
#3410 -- Code of Conduct on School Property  
#5640 -- Smoking/Tobacco Use  
#8210 -- Safety Conditions and Prevention Instruction  
District *Code of Conduct*

1<sup>st</sup> Reading: 12/12/17