

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street Soldotna, Alaska 99669-7553

Phone (907) 714-8888 Fax (907) 262-9132

www.kpbsd.k12.ak.us

SCHOOL BOARD COMMUNICATION

Title:	Board Policy Worksession		
Date:	January 4, 2013	Item Number:	Worksession
Administrator:	Dave Jones, Assistant Superintendent <i>Dave Jones</i> Sean Dusek, Assistant Superintendent <i>Sean Dusek</i>		
Attachments:	<i>BP 3513 Tobacco-Free Schools/Smoking</i> <i>BP 5131.62 Tobacco</i>		

Action Needed **For Discussion** **Information** **Other:** _____

BACKGROUND INFORMATION

The following were reviewed at the December 3, 2012 Policy Committee meeting.

BP 3513.3 Tobacco-Free Schools/Smoking

- This policy is being revised to align with AASB Policy.

BP 5131.62 Tobacco

- This policy is being revised to align with AASB Policy.

BP 5141.21 Administering Medication

- Added line re delegation and training of school staff to follow AK Board of Nursing standards and procedures.

ADMINISTRATIVE RECOMMENDATION

TOBACCO-FREE SCHOOLS/SMOKING

Tobacco-Free Schools/Smoking

Note: The federal No Child Left Behind Act prohibits smoking in district facilities. The following language extends this to prohibit tobacco use in school buildings, on school grounds and parking areas, at school events and in vehicles used for transporting students. The ability of the Board to adopt this following policy may be restricted by collective bargaining agreements.

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. As role models, District employees should demonstrate conduct that is consistent with school programs to discourage students from using tobacco products.

In accordance with law and to promote the health and safety of all students and staff, the School Board prohibits smoking or the use of tobacco products. This prohibition includes any smoking device, anywhere and anytime on District property and in District vehicles (owned, rented or leased), including at athletic events school sponsored activities and meetings.

Staff and/or all others authorized to use District vehicles to transport District students to school-sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

For the purposes of this policy, “tobacco” is defined to include tobacco in any form and/or any nicotine delivering devices. This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

This policy shall be in effect and enforceable at all times regardless of whether or not school is in session. The Superintendent shall post appropriate signs prohibiting smoking in accordance with law.

The Superintendent may shall develop administrative regulations as necessary to implement this policy, including provisions for notification of the district’s policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs; disciplinary consequences; and procedures for filing and handling complaints about violations of the District’s policy.

TOBACCO-FREE SCHOOLS/SMOKING (Continued)

The Superintendent may shall consult with local officials to promote enforcement of law that prohibits the possession of tobacco by minors on or off district grounds.

Note: Federal law does permit the use of tobacco products in a private residence. The following language clarifies whether or not your district will permit smoking in district-provided housing.

This prohibition does ~~does not~~ apply to any private residence owned or leased by the District for housing purposes.

(cf. 5131.62 – Tobacco)

Legal Reference:

ALASKA STATUTES

18.35.300-18.35.330 *Health nuisances*

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 5/3/2004

TOBACCO

Note: AS 18.35.20 prohibits the designation of smoking sections for students. It is unlawful for minors to give, sell, use, or possess cigarettes or other tobacco products. AS 11.76.100-.105. Minors include all persons under 19 years of age.

~~The Board of Education recognizes that smoking Tobacco use presents a health hazard that can have with serious implications consequences for both the smoker and the nonsmoker, and that habits of tobacco product use developed by the young may have lifelong deleterious consequences, both for tobacco users and non-users alike. Students shall not be allowed to smoke, chew or possess tobacco or nicotine products on school property or during school hours, at school-sponsored events, or under the supervision of District employees.~~

~~For the purposes of this policy, “tobacco” is defined to include tobacco in any form and/or any nicotine delivering devices. This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.~~

~~Tobacco advertising is prohibited in all school-sponsored publications, in all school buildings, and at all school-sponsored events. District acceptance of gifts or funds from the tobacco industry is similarly prohibited.~~

~~Student violations of this policy will lead to disciplinary action up to and including suspension. The District may provide positive alternatives to suspension, such as in-school suspension, educational programs, school and community service, and promotion of cessation resources. Students may also be subject to removal from any or all cocurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). A referral to law enforcement shall be made. Parents shall be notified of all violations involving their student and action taken by the school.~~

~~The District may provide instruction regarding the effects of tobacco use on the human body and may take steps to discourage students from tobacco use.~~

TOBACCO (continued)

Staff responsible for teaching tobacco use prevention will be encouraged when funds/resources allow to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, effective instructional techniques and program-specific activities. As part of the District’s tobacco use prevention activities, the Superintendent shall recommend to the curriculum committee the use of evidence-based instructional programs as recommended by the Centers for Disease Control and Prevention, or approved by the Substance Abuse and Mental Health Services Administration (SAMHSA). Programs will be integrated within the health education program and be age- and developmentally-appropriate.

~~Students are prohibited from smoking or using tobacco products at any time inside the school building or on school grounds. In addition, students are not to smoke or use tobacco products while attending sports activities, dances, other cocurricular activities, or while on school trips.~~

~~Students under the age of 19 are prohibited by District policy and state law to possess tobacco products.~~

~~Students are subject to disciplinary actions including suspension for failure to comply with the provisions of this policy. Possession of tobacco products by students under 19 years of age will be reported to the police.~~

(cf. 3515 – School Safety and Security)
(cf. 3513.3 - Tobacco-free Schools/Smoking)
(cf. 5144.1 - Suspension and Expulsion)
(cf. 5142 – Safety)

Note: AS 14.30.360 encourages the establishment of a comprehensive health education.

Legal Reference:
ALASKA STATUTES
14.30.360 Curriculum (Health and Safety Education)
18.35.300 - 18.35.330 Health nuisances (smoking)

ADMINISTERING MEDICATION

The School Board recognizes that some students need to take medication during school. For the purpose of this document, medication will be defined as any substance, whether prescription or over-the-counter, taken by any means consistent with general medication practice and with the intent of altering an existing condition. All students taking medication during school hours are to follow the procedures set out in *AR 5141.21 Administering Medication*. Failure to do so releases the District of any liability resulting from incorrect or improper use of this medication.

Medication given at school must comply with all Federal and State laws and regulations and follow current medical and District standards. Medication requests must be processed through the school nurse, school administrator or designee, or follow a written school policy. Requests for administration of medication that is not imperative for student health maintenance or school program participation may be denied. Delegation and training of school staff will follow standards and procedures defined by the Alaska Board of Nursing. Non-licensed personnel designated to administer student medications must document appropriate training.

Asthma Medications and Anaphylactic Injection

The Board recognizes that some students have allergies of such severity that they may require an emergency anaphylactic injection during the course of the school day. The Board also recognizes that some schools must have at least one non-licensed staff member prepared to administer this medication in the event of an anaphylactic reaction.

School staff who may be required to administer medication for anaphylactic reactions shall receive annual training from the nurse or other qualified medical personnel. This training will authorize them to administer the injections within the legal provisions of law and afford appropriate liability protection.

The Board recognizes that some health care providers for some students have identified the need for these students to self-administer their asthma inhaler or anaphylaxis medication. Students will be permitted to carry and self-administer their own asthma inhaler and/or anaphylaxis medication provided they have written authorization for self-administration from their health care provider. This authorization will include a signed written treatment plan which will be kept on file at the school. Written authorization must be submitted any time there is a change and annually.

Parents/guardians of students who have an identified allergy resulting in anaphylaxis are required to provide the school with this medication for their child.

(cf. 5141 - Health Care and Emergencies)

ADMINISTERING MEDICATION (continued)

Penalty for Violation

Any student use, possession, or distribution of medication is prohibited unless permitted by this policy and District procedures related to administering medication. Students who have obtained permission to carry and/or use medication are prohibited from sharing the medication or exceeding the recommended dosage. Students using, possessing, distributing, or selling medication in violation of this policy will be disciplined under District policies and rules related to alcohol and drug violations.

(cf. 5131.6 Alcohol and Other Drugs)

Legal Reference:

ALASKA STATUTES

09.65.090 - *Civil liability for emergency aid*

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 01/15/2007 _____