


**VANDERHEYDEN
Policy and Procedure**

	Effective Date: 3/17	Last revision 3/2017	Page 1 of 3	Policy Number Volume III A.5.106
	Board Approval Date: 3/17	Title: Smoking Policy		

I. BACKGROUND

Doctors, scientists, researchers and the Surgeon General have all concluded that smoking is a hazardous habit that affects longevity of life and the health of those who smoke and those people exposed to smoke. Vanderheyden, as a child welfare agency, must comply with State and Federal laws and act as proper role models for the individual served.

According to an amendment to the 1994 Pro Children Act and Article 19-E of the New York State Public Health Law: No one at any time may use tobacco products on school district property including buildings and grounds. School grounds are defined broadly in Public Health Law 1399-n(9) to include any building or structure and the outdoor grounds within the property boundaries of a public or private pre-school, nursery school, elementary school or secondary school, as well as any vehicles used to transport children or school personnel. An exception is provided for tobacco use by adult faculty and staff members in designated smoking areas during non-school hours. Any student activities supervised by faculty or staff and any officially sanctioned school event would be considered part of school hours for this purpose.


II. POLICY

In order to provide for the rights of our individuals served, use of tobacco products is prohibited for individuals served at Vanderheyden under the age of 18 years.

III. PROCEDURES

1. Effective January 1, 2003 Vanderheyden has been tobacco free for any individuals under the age of 18 years.
2. Smoking of any substance or tobacco use is prohibited on the main campus.
3. Tobacco products include but are not limited to cigarettes, cigars, pipe tobacco, chewing or dipping tobacco and E-cigarettes.
4. Tobacco products in the possession of residents are contraband and must be confiscated by Agency staff when they are seen. Staff should follow the appropriate behavior management system when determining consequence for residents in possession of contraband. Staff should be mindful of policies on


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physical intervention when attempting to use physical intervention as a means of confiscation.

5. Staff in possession of tobacco products should have them locked in a secure location which an individual served does not have access to. Tobacco products should not be kept on a staff's person.
6. The following areas have been designated smoking areas for individuals served over the age of 18 years of age and employees / volunteers / visitors. Employees of Vanderheyden will not smoke with individuals served. Staff may not smoke within eyesight of Agency property.
 - Main Campus: Prohibited. Staff and Visitors off property.
 - Van Leuven: Staff and Visitors off property, end of the driveway in cul de sac. Resident minimum of 30 ft. away from the residence. Best practice is 50 ft. away from residence. 30-50 ft. from residence with authorized smoking receptacle.
 - Bessey Home: Off property.
 - Pawling Avenue: Backyard by fence has an appropriate receptacle which is 30 ft. from the residence.
 - Rubin Home: Off property.
 - Huntley Road IRA: Residents - Staff - off property.
 - Van Hoesen IRA: Residents - Patio outside rear sliding glass door. Staff - off property.
 - Woodlawn IRA: Staff off property. Residents 30-50 ft. from residence with authorized smoking receptacle.
 - Philo Avenue IRA: Staff off property. Backyard 30 ft. from home.
 - Community Service IRA: Residents – Inside apartments except bedrooms. Staff - outside apartment out of eyesight.
 - SILP Apartments: Residents – Inside apartments except bedrooms. Staff - outside apartment out of eyesight by dumpster on Sausse Avenue.
7. OPWDD Programs where individuals served are allowed to smoke, staff is responsible for maintaining the designated out of doors smoking areas in a neat and orderly fashion and that smoking receptacle is emptied daily or as needed.
8. If an individual is caught with tobacco contraband they will be referred to their clinician with the first offense, second offense they will be referred to smoking education program regarding smoking hazards and benefits of quitting. Nicotine

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gum may be an option to assist with nicotine cravings if requested. When meeting weekly with clinician cessation progress will be discussed.

9. For those residents requesting smoking cessation medications/devices within OCFS programs, family members will need to secure doctor's orders and medication and deliver them to Vanderheyden. Vanderheyden will not be responsible for obtaining orders or medication. Health Services staff will put orders in place as provided. When medication supply is 1 week from running out family members will be notified of need for addition medications.
10. If continues to have issues referrals may be made to outside smoking cessation programs.
11. Employees and volunteers will not purchase or provide tobacco products for individuals served.
12. Employees, volunteers and individuals served that fail to comply with Vanderheyden's Smoking Policy will be subject to appropriate disciplinary procedures in accordance with the agency policy on discipline up to and including termination of employment.
13. During off ground activities staff are not to be taking "smoke breaks" when assigned individuals to supervise

IV. FORMS USED

None

V. REFERENCES

1994 Pro Children Act and Article 19-B NYS Public Health Law 1399-n(9)



Karen Carpenter Palumbo
President & CEO



Date