

Book	Policy Manual
Section	200 Pupils
Title	Tobacco
Number	222
Status	Active
Legal	1. 35 P.S. 1223.5 2. 18 Pa. C.S.A. 6305 3. 20 U.S.C. 7183 4. 22 PA Code 10.23 5. 20 U.S.C. 1400 et seq 6. Pol. 103.1 7. Pol. 113.1 8. Pol. 113.2 9. Pol. 805.1 10. 24 P.S. 1302.1-A 11. 24 P.S. 1303-A 12. 22 PA Code 10.2 13. 22 PA Code 10.22 14. 22 PA Code 10.25 15. 18 Pa.C.S.A. 6306.1 16. Pol. 218 24 P.S. 510 22 PA Code 403.1 20 U.S.C. 7114 20 U.S.C. 7181 et seq 34 CFR Part 300 Pol. 000
Adopted	January 18, 2016

Purpose

The Board recognizes that tobacco presents a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the schools.

Definition

For purposes of this policy, **tobacco** shall be defined as any tobacco product including lighted or unlighted cigars, cigarettes or pipes; any other lighted or unlighted smoking product or material, including electronic smoking devices; and smokeless tobacco in any form. Smoking electronic cigarettes regardless of whether or not they contain tobacco derivatives is also prohibited.

Authority

The Board prohibits possession, use or sale of tobacco by students at any time in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[\[2\]](#)
[\[1\]](#)[\[3\]](#)

The Board prohibits possession, use or sale of tobacco by students at school-sponsored activities that are held off school property.

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

Delegation of Responsibility

The Superintendent or designee shall annually notify students, parents/guardians and staff about the district's tobacco policy by publishing such policy in the student handbook, parent newsletters, posted notices, district website and other efficient methods.

Guidelines

The Superintendent or designee may report incidents of possession, use or sale of tobacco by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[9\]](#)

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of tobacco immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[\[12\]](#)[\[14\]](#)[\[9\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco by students to the Office for Safe Schools on the required form.[\[11\]](#)
[\[9\]](#)

A student convicted of possessing or using tobacco in violation of this policy may be fined up to fifty dollars (\$50) plus court costs or admitted to alternative adjudication in lieu of imposition of a fine.[\[15\]](#)

A student found to be in violation of this policy shall be subject to disciplinary action, in accordance with Board policy.[\[16\]](#)