

1400 SCHOOL DISTRICT CLIMATE/ENVIRONMENT

1415 Tobacco and Vapor Products – Non-students

The use of tobacco and vapor products present a health and safety hazard that can have serious consequences for the user and the nonuser and the safety of the schools and is contrary to both the educational goals, interest, image of the District and the maintenance of a healthy and safe school work environment.

For purposes of this Policy, the term “tobacco” shall mean a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form.

For purposes of this Policy, the term “vapor product” is defined to include any of the following:

1. Any device that employs a heating element, battery, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size and including the component parts and accessories thereto, that can be used to deliver vaporized nicotine or other substances (that may or may not contain nicotine) to users inhaling from the device. Examples of such devices include, but are not limited to, electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, electronic nicotine delivery systems, vape pens, personal vaporizers, or any similar device.

2. Any substance intended for use with, or in, a device described in Section 1 of this definition, regardless of whether the substance contains nicotine.

For purposes of this policy, the term “vapor product” does not include any substance or device that is regulated by the United States food and drug administration under chapter V of the federal Food, Drug, and Cosmetic Act.

The Board prohibits tobacco or vapor product use or visible possession (and discourages any possession) by District employees, District volunteers, and independent contractors performing a service for the District in a school building, on school property, while working or performing a service at a school-sponsored activity that is held off school property, or on any bus, van or vehicle that is owned, leased or controlled by the District, or utilized by a transportation contractor to transport District students to or from school or a school sponsored activity. The Board further prohibits tobacco or vapor product use (and discourages possession) by members of the general public in a school building, on school property, or on

1 any bus, van or vehicle that is owned, leased or controlled by the District, or
2 utilized by a transportation contractor to transport District students to or from
3 school or a school sponsored activity.
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5 Any employee who violates this Policy shall be subject to disciplinary
6 procedures consistent with the district's employee discipline policies, procedures
7 and/or practices. Any volunteer that violates this Policy may be subject to
8 termination as a volunteer at the discretion of the applicable administrator or
9 building principal. Any member of the general public that violates this Policy and
10 refuses immediately cease the violation may be removed from school property and,
11 depending the nature and number of the violation(s), may be prohibited from
12 entering upon school property for a period of time deemed appropriate by the
13 Superintendent or hi/her designee.
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15 The Superintendent or designee may report incidents involving violations of
16 this Policy or applicable law to the local police department that has jurisdiction over
17 the school's property, in accordance with state law and regulations and the
18 procedures set forth in the memorandum of understanding with local law
19 enforcement and Board policies.
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21 In accordance with state law, the Superintendent shall annually, by July 31,
22 report incidents of possession, use or sale of tobacco on school property to the
23 Office for Safe Schools on the required form.
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26 Adoption Date - May 11, 2015
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28 Revision Date
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30 Review Date
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32 Legal Reference - 24 P.S. §13-1302.1-A; 24 P.S. §13-1302.1-A;
33 24 P.S. §5-510
34 22 Pa. Code §10.2; 22 Pa. Code §10.22
35 18 Pa.C.S.A. §6305
36 35 P.S. §1223.5
37 20 U.S.C. §7181, *et. seq.*
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39 Cross-Reference - Policy 5002; Policy 11401