

1400 SCHOOL DISTRICT CLIMATE/ENVIRONMENT

1420 Tobacco and Vapor Products – 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 the possession or use of tobacco or a vapor product by students during school or school related activities (held on or off school property), on District property and during a student’s transit to or from school or school related activities (held on or off school property).

This Policy shall be contained in the Student Handbook as a part of the Code of Student Conduct and a student’s violation of this Policy is subject to discipline pursuant to the District’s Disciplinary Code, as contained in Policy 10510.

The Superintendent or designee may report violations of this policy to the local police department having jurisdiction over the school’s property, in accordance with state law

1 and regulations, the procedures set forth in the memorandum of understanding with local
2 law enforcement and Board policies.

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4 The Superintendent or designee shall notify the parent/guardian of any student directly
5 involved in an incident involving possession or use of tobacco. The Superintendent or
6 designee shall inform the parent/guardian whether or not the local police department
7 having jurisdiction over the school property has been or may be notified of the incident.
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9 In accordance with state law, the Superintendent shall annually, by July 31, report all
10 incidents of possession, use or sale of tobacco by students to the Office for Safe Schools
11 on the required form.
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13 A student convicted of possessing or using tobacco in violation of this policy may be
14 fined up to fifty dollars (\$50) plus court costs or admitted to alternative adjudication in
15 lieu of imposition of a fine.
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17 Adoption Date -

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19 Revision Date

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21 Review Date

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23 Legal Reference - 24 P.S. §13-1302.1-A; 24 P.S. §13-1303-A
24 24 P.S. §5-510
25 22 Pa. Code §10.2; 22 Pa. Code §10.22
26 22 Pa. Code §10.23; 22 Pa. Code §10.25
27 22 Pa. Code §403.1
28 18 Pa.C.S.A. §6305; 18 Pa.C.S.A. §6306.1
29 35 P.S. §1223.5
30 20 U.S.C. §7181, *et. seq.*
31 20 U.S.C. §7114
32

33 Cross-Reference - District Policies 10510, 10495