

Book	Policy Manual
Section	300 Employees
Title	Tobacco Usage
Code	323
Status	Active
Adopted	August 12, 2008
Last Revised	February 28, 2023

## **Purpose**

The Board recognizes that tobacco use 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 use shall be defined as use and/or possession of tobacco or tobacco-related items/devices including but are not limited to: a lighted or unlighted cigarette, electronic cigarettes and/or smoking devices, cigar, pipe, other smoking product or material, smokeless tobacco in any form, and/or tobacco-related items/devices.

For the purposes of this policy, electronic cigarettes are defined any oral device or products that provides a vapor of liquid nicotine, lobelia, and/or other substance, and the uses or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vaporizers, or under any other product name or descriptor.

For the purpose of this policy, tobacco-related items/devices shall mean cigarettes, cigars, papers, lighters, pipes, hookahs, electronic cigarettes, including any components parts, or accessories or electronic cigarettes, including cartridges, and any instrument used for inhaling tobacco smoke, and/or any item that contains nicotine.

For the purpose of this policy, tobacco means any substance, material or product containing, made, or derived from tobacco or nicotine that is intended or used for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of tobacco, and any other kinds and forms of tobacco.

## **Authority**

The Board prohibits possession, use or sale of tobacco, by administrative, professional and support 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.[1][2]

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

A device, included under the definition of tobacco product, if sold by a dispensary license in compliance with the Medical Marijuana Act, Federal Law requires the district to maintain a drug -free workplace, at which marijuana of any kind is prohibited. [3][4]

The district shall annually notify employees about the Board's tobacco usage policy by distributing it through handbooks, newsletters, posted notices, and other efficient methods.[1]

### **Guidelines**

The Superintendent or designee may report incidents of possession, use or sale of tobacco to minors by employees 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.[3][4][5][6][7][8]

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.[4][8]

### Legal

1. 35 P.S. 1223.5

2. 20 U.S.C. 7183

3. 24 P.S. 1302.1-A

4. 24 P.S. 527

5. 22 PA Code 10.2

6. 22 PA Code 10.22

7. 18 Pa. C.S.A. 6305

8. Pol. 805.1

20 U.S.C. 7181 et seq