

EAST STROUDSBURG AREA SCHOOL DISTRICT

SECTION: ~~ADMINISTRATIVE~~
EMPLOYEES

TITLE: TOBACCO

ADOPTED: August 19, 2002

REVISED: August 19, 2013

DRAFT:

323. TOBACCO	
<p>1. Purpose</p>	<p>The Board recognizes that tobacco, <u>nicotine and nicotine delivery products</u> during school hours and on school property presents a health and safety hazard that can have serious consequences for the user and the nonuser and the safety <u>and environment</u> of the schools.</p>
<p>2. Definition</p> <p>35 P.S. Sec. <u>1223.5</u></p>	<p>For purposes of this policy, tobacco shall mean all use of tobacco, including lighted or unlighted cigarettes, cigars, <u>cigarillo, little cigar</u>, pipes or other smoking product or material and smokeless tobacco in any form <u>including chewing tobacco, snuff, dip, or dissolvable tobacco pieces</u>.</p> <p><u>For purposes of this policy, nicotine shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.</u></p> <p><u>For purposes of this policy, a nicotine delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.</u></p>
<p>3. Authority</p> <p>35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7183 35 P.S. Sec. 1223.5</p>	<p>The Board prohibits <u>use of</u> tobacco, <u>nicotine and nicotine delivery products</u> use by administrative-employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.</p> <p>The Board prohibits <u>use of</u> tobacco, <u>nicotine and nicotine delivery products</u> use by administrative-employees at school sponsored activities that are held off school property.</p> <p>Furnishing tobacco (including lighted or unlighted cigarettes, cigars, pipes or other smoking product or material and smokeless tobacco in any form to any student is prohibited.</p>
<p><u>4. Delegation of Responsibility</u></p> <p>35 P.S.</p>	<p>The school district shall annually notify employees about the school district's tobacco/<u>nicotine</u> use policy by publishing such in handbooks, newsletters, posted notices, <u>district website</u> and other efficient methods.</p>

<p>Sec. 1223.5</p> <p><u>5. Guidelines</u></p> <p>4. Guidelines SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.22 18 Pa. C.S.A. Sec. 6305 Pol. 805.1</p> <p>SC 1303-A Pol. 805.1</p> <p><u>SC 1302.1-A,</u> <u>1303-A</u> <u>Title 22</u> <u>Sec. 10.2, 10.22</u> <u>18 Pa. C.S.A.</u> <u>Sec. 6305</u> <u>Pol. 805.1</u></p>	<p><u>This policy does not prohibit the use of a patch, gum or lozenge as a smoking cessation product by any employee who has a written order by a physician.</u></p> <p>The Superintendent or designee may report incidents involving the 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.</p> <p><u>Reporting</u></p> <p>In accordance with state law, the Superintendent shall annually, by July 31, report incidents of possession, use and sale of tobacco, <u>nicotine and nicotine delivery products</u> by any person on school property to the Office of Safe Schools.</p> <p><u>Additional Provisions – Tobacco Only</u></p> <p><u>The Superintendent or designee may report incidents involving the 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.</u></p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1302.1-A, 1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.22</p> <p>Sale of Tobacco – 18 Pa. C.S.A. Sec. 6305</p> <p>School Tobacco Control – 35 P.S. Sec. 1223.5</p> <p>Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq., <u>7183</u></p> <p>Board Policy – 805.1</p> <p><u>PSBA Revision 4/13</u></p>
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