

Book	Policy Manual
Section	200 Students
Title	Tobacco Use/Nicotine Delivery System/Vaping
Number	222
Status	Active
Adopted	February 28, 2019

Purpose

The Board recognizes that tobacco use and vaping by students 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 to include the use and/or possession of a lighted or unlighted cigarette, cigar and pipe; other lighted smoking product; smokeless tobacco in any form; an electronic cigarette; nicotine product; nicotine delivery product; and/or any vaping delivery system. An **electronic cigarette** includes any battery-operated product designed to deliver to the user a chemical such as nicotine; any flavor even without nicotine; and/or any other substance, by turning the substance into a vapor that is then inhaled by the user.

Authority

The Board prohibits tobacco use and vaping and the possession 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.

The Board prohibits tobacco use and vaping and the possession by students at school-sponsored activities that are held off school property.

The school district may initiate prosecution of a student who possesses or uses tobacco or vaping in violation of this policy.

Delegation of Responsibility

The Superintendent or designee shall annually notify students, parents/guardians and staff about the District's tobacco use/vaping policy by publishing such policy in the student handbook, parent newsletters, posted notices, and other efficient methods.[\[1\]](#)

The District shall initiate prosecution of a student who violates this policy. Under Act 145 of 1996 of the Pennsylvania Crimes Code, which amends the Crimes Code (Title 18), a student convicted of possessing or using tobacco in a District building or on a school bus or District property may be fined up to fifty dollars (\$50.00), plus court costs, or admitted to alternative adjudication. The provisions of Title 35, Section 1223.5 of Purdon's Pennsylvania Statutes Annotated entitled "School Tobacco Control" are incorporated into this policy to the extent that they are not inconsistent with those of Act 145 of 1996.
[\[1\]](#)[\[2\]](#)

All students will receive age-appropriate education on avoiding tobacco use.

The Superintendent or designee shall develop administrative regulations to implement this policy.

DISCLAIMERS:

This policy is superseded by all current federal and state laws and mandates.

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Legal

1. 35 P.S. 1223.5
2. 18 Pa. C.S.A. 6306.1
- 24 P.S. 510
- 24 P.S. 1302.1-A
- 24 P.S. 1303-A
- 18 Pa. C.S.A. 6305
- 22 PA Code 10.2
- 22 PA Code 10.22
- 22 PA Code 10.23
- 22 PA Code 10.25
- 20 U.S.C. 1400 et seq
- 20 U.S.C. 7114
- 20 U.S.C. 7118
- 20 U.S.C. 7181 et seq
- 34 CFR Part 300
- Pol. 113.1
- Pol. 113.2