

Book	Policy Manual
Section	200 Pupils
Title	Tobacco 222
Number	Second
Status	Reading
Legal	1. 35 P.S. 1223.5 2. 18 Pa. C.S.A. 6305 3. 20 U.S.C. 7183 4. 22 PA Code 10.23 5. 20 U.S.C. 1400 et seq 6. Pol. 103.1 7. Pol. 113.1 8. Pol. 113.2 9. Pol. 805.1 10. 24 P.S. 1302.1-A 11. 24 P.S. 1303-A 12. 22 PA Code 10.2 13. 22 PA Code 10.22 14. 22 PA Code 10.25 15. 18 Pa. C.S.A. 6306.1 24 P.S. 1850.1 22 PA Code 403.1 20 U.S.C. 7181 et seq 34 CFR Part 300
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Purpose

The **Joint** Operating Committee recognizes that **tobacco use 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 school.

Definition

For purposes of this policy, tobacco includes a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form.[\[1\]](#)

Authority

The Joint Operating Committee prohibits possession, use or sale of tobacco 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.[\[1\]](#)[\[2\]](#)[\[3\]](#)

The Joint Operating Committee prohibits possession, use or sale of tobacco by students at school-sponsored activities that are held off school property.

In the case of a student with a disability, including a student for whom an evaluation is pending, the school shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

Delegation of Responsibility

The Director or designee shall annually notify students, parents/guardians and staff about the school's tobacco policy by publishing such policy in the student handbook, parent newsletters, posted notices, and other efficient methods.

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

Guidelines

The Director or designee may report incidents of possession, use or sale of tobacco by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from the school or a 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 Joint Operating Committee policies.[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The Director or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of tobacco immediately, as soon as practicable. The Director or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Director or designee shall document attempts made to reach the parent/guardian.[\[9\]](#)[\[12\]](#)[\[14\]](#)

In accordance with state law, the Director 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.[\[9\]](#)[\[11\]](#)

A student convicted of possessing or using tobacco in violation of this policy may be fined up to fifty dollars (\$50) plus court costs or admitted to alternative adjudication in lieu of imposition of a fine.[\[15\]](#)