



AGENDA ITEM

MEETING DATE: July 31, 2019

SUBJECT: Administrative Procedural 222:
Smoking Tobacco & Electronic Vapor Devices

SUBMITTED BY: Joe Tarasovitch

DESCRIPTION: Because ***PA. Statute 18 Section 6306.1 Subsection A*** does not recognize electronic vapors as a tobacco product, Administrative Procedural 222: Smoking Tobacco & Electronic Vapor Devices will be a supporting procedure to Tobacco Policy 222. The AP-222 will provide the ECTS administration the latitude to discipline student offenders of the “no smoking” policy during the school hours with any smoking devices.

Administrative Procedural 222: Smoking Tobacco & Electronic Vapor Devices attached for review.

RECOMMENDATION: Motion to accept Administrative Procedural 222: Smoking Tobacco & Electronic Vapor Devices

Administrative Procedure 222 Smoking Tobacco & Electronic Vapor Devices

Purpose

The Joint Operating Committee recognizes that tobacco and electronic vapor devices 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 procedure, **tobacco** includes a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form; including electronic vapor devices.

Authority

The Joint Operating Committee prohibits possession, use or sale of tobacco and/or electronic vapor devices by students at any time in a school building and on any property, buses, vans, and vehicles that are leased or controlled by the school.

The Joint Operating Committee prohibits possession, use or sale of tobacco and/or electronic vapor devices 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.

Delegation of Responsibility

The Principal or designee shall annually notify students, parents/guardians and staff about the school's tobacco and electronic vapor devices procedure by publishing such procedural facts in the student handbook, parent newsletters, posted notices, and other efficient methods.

Guidelines

The Principal 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 District Magistrate that has jurisdiction over the school's territorial area. The Principal 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 Principal or designee shall inform the parent/guardian whether the District Magistrate that has jurisdiction over the school's territorial area has been or may be notified of the incident.

A student found using tobacco or an electronic vapor device in violation of this administrative procedure may be fined up to **one hundred dollars (\$100)** by the school. Alternatively, if the school has forwarded the complaint to the District Magistrate, the student could be fined according to the District Magistrate, plus court costs, or admitted to alternative adjudication in lieu of imposition of a fine.