

Book	Policy Manual
Section	900 Community
Title	Public Attendance at Center (School) Events
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Purpose

The Joint Operating Committee welcomes the public at activities and events sponsored by the center (school), but the Joint Operating Committee also acknowledges its duty to maintain order and preserve center (school) facilities during such events. **This policy establishes conditions, restrictions and procedures to regulate public attendance and conduct at the center (school) and center (school)-sponsored activities.**

Definition

State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including the product marketed as Juul and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with law, shall be defined to include the following:[\[1\]](#)[\[2\]](#)

- Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.**
- Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.**
- Any product containing, made or derived from either:**
 - Tobacco, whether in its natural or synthetic form; or**
 - Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.**
- Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.**

The term tobacco product does not include the following:[\[1\]](#)[\[2\]](#)

- A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled.**
- A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. Federal law requires the center (school) to maintain a drug-free environment, at which marijuana of any kind is prohibited.**[\[3\]](#)[\[4\]](#)

Authority

The Joint Operating Committee has the authority to prohibit at a center (school) event the attendance of any individual whose conduct may constitute a disruption. The Joint Operating Committee prohibits gambling and the possession and use of controlled substances **prohibited by state or federal law**, alcoholic beverages and weapons on center (school) premises.[\[5\]](#)[\[6\]](#)

Tobacco and Vaping Products

The Joint Operating Committee prohibits use of tobacco **and vaping products, including the product marketed as Juul and other e-cigarettes**, by any persons **at any time in a center (school) building; on school buses or other vehicles that are owned, leased or controlled by the center (school); or on property owned, leased or controlled by the center (school).**[\[2\]](#)[\[7\]](#)

{ } unless expressly permitted in designated areas which must be located at least fifty (50) feet from center (school) buildings, stadiums or bleachers.

This policy does not prohibit possession of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by members of the public of legal age at the center (school) or center (school)-sponsored activities.

The Joint Operating Committee deems it to be a violation of this policy for an individual in attendance at the center (school) or a center (school)-sponsored activity to furnish a tobacco or vaping product, including the product marketed as Juul or any other e-cigarette, to a minor.[\[1\]](#)

Delegation of Responsibility

A schedule of fees for attendance at center (school) events shall be prepared by the Administrative Director or designee and adopted by the Joint Operating Committee.

The Administrative Director shall ensure that this policy is posted on the center's (school's) publicly accessible website.

Reports

Office for Safe Schools Report –

The Administrative Director shall annually, by July 31, report all incidents of **prohibited** possession, use or sale of **tobacco and vaping products, including Juuls and other e-cigarettes**, by any person on center (school) property to the Office for Safe Schools on the required form.[\[8\]](#)[\[9\]](#)

Law Enforcement Incident Report –

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, the Administrative Director or designee may report to the school police, School Resource Officer (SRO) or to the local police department that has jurisdiction over the center’s (school’s) property, the use or sale of tobacco or vaping products, including Juuls and other e-cigarettes, by any person in a center (school) building; on a school bus or other vehicles that are owned, leased or controlled by the center (school); or on any property owned, leased or controlled by the center (school).[\[1\]](#)[\[2\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)

Guidelines

Free Admittance

{ } Center (School) personnel will be admitted to all center (school) events

() at no charge.

() at a reduced fee.

{ } Free passes to center (school) events will be available to each Joint Operating Committee member.

() and a guest.

Service Animals

Individuals with disabilities may be accompanied by their service animals while on center (school) property for events that are open to the general public in accordance with Joint Operating Committee policy and state and federal laws and regulations.[\[13\]](#)[\[14\]](#)[\[15\]](#)

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Legal	1. 18 Pa. C.S.A. 6305
	2. 18 Pa. C.S.A. 6306.1
	3. 20 U.S.C. 7118
	4. Pol. 351
	5. 24 P.S. 1850.1
	6. 24 P.S. 775
	7. 20 U.S.C. 7973
	8. 24 P.S. 1303-A
	9. Pol. 805.1
	10. 22 PA Code 10.2
	11. 22 PA Code 10.22
	12. 24 P.S. 1302.1-A
	13. 28 CFR 35.136
	14. 43 P.S. 953
	15. Pol. 718
	20 U.S.C. 7971 et seq
	28 CFR Part 35

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