

BERMUDIAN SPRINGS SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TOBACCO USE

ADOPTED: March 14, 2006

REVISED: September 9, 2014

	222. TOBACCO USE
1. Purpose	The Board 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 schools.
2. Definition 18 Pa. C.S.A. Sec. 6306.1	For purposes of this policy, tobacco use shall be defined as use and/or possession of a lighted or unlighted cigarette, cigar and pipe; other lighted smoking product; nicotine; electronic smoking devices; unapproved nicotine delivering devices; chemicals or devices that produce the same flavor or physical effect of nicotine substances; and smokeless tobacco in any form.
3. Authority 20 U.S.C. Sec. 7181 et seq Title 22 Sec. 12.3 35 P.S. 1223.5	Students using nicotine patches, gum, lozenges and/or any other means of smoking cessation may only do so if s/he provides a current, complete doctor's note substantiating the need to do so.
18 Pa. C.S.A. Sec. 6306.1	The Board prohibits tobacco use and 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.
4. Delegation of Responsibility	The Board prohibits tobacco use and possession by students at school-sponsored activities that are held off school property.
SC 1303-A	The school district may initiate prosecution of a student who possesses or uses tobacco in violation of this policy.
5. Guidelines	The Superintendent or designee shall annually notify students, parents/guardians and staff about the district's tobacco use policy by publishing such policy in the student handbook, district calendar, posted notices, and other efficient methods.
	The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco by any person on school property to the Office of Safe Schools on the required form in accordance with state law and regulations.
	The Superintendent or designee shall develop procedures to implement this policy.
	Incidents of possession, use and sale of tobacco in violation of this policy by any

SC 1303-A	person on school property shall be reported to the Office of Safe Schools on the required form at least once each year.
18 Pa. C.S.A. Sec. 6306.1	A student convicted of possessing or using tobacco in violation of this policy may be fined up to \$50 plus court costs or admitted to alternative adjudication in lieu of imposition of a fine.
	<u>Violations</u> Offenses shall be cumulative from year to year while the student attends district schools. All violations shall be documented for the student’s record, with copies sent to the parents/guardians and the Superintendent.
PA Code Title 22 Sec. 12.3, Sec. 403.1	Smoking is not permitted by students on school property or at school-sponsored activities. Tobacco in any form is not to be carried by students on the buses or on school property. <u>Consequences</u> First violation of this rule will result in the temporary suspension (3 days) from classes. The second offense for violation of this rule will result in a full suspension (5 days) from classes. In accordance with Act 145 of 1996, school district officials will initiate proceedings before the District Justice against students who violate policy 6210 (Student Smoking) for a second time. The next offense for smoking will result in a full suspension (10 days) from classes with reinstatement permitted after a conference between the parents, the student, the high school administration, and the superintendent of schools. The student will be charged before the District Justice in accordance with Act 145. Any additional smoking violations will result in the student being referred to the school board for possible expulsion from school and being charged before the District Justice in accordance with Act 145. Notification of each violation listed above shall be made to the student and to his/her parents by certified mail.

	References: School Code – 24 P.S. Sec. 510, 1303-A State Board of Education Regulations – 22 PA Code Sec. 403.1 Tobacco Use Prohibition – 18 Pa. C.S.A. Sec. 6306.1 School Tobacco Control – 35 P.S. Sec. 1223.5 No Child Left Behind Act – 20 U.S.C. Sec. 7114 Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq. Board Policy – 000
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