

**Saucon Valley School District**  
**Academic and Personnel Committee**  
**May 6, 2020 – 5 pm**  
**District Office Conference Room**

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*Welcome to the meeting of the Academic and Personnel Committee. Our objective is to serve the students, parents, and residents of our community. You are an important part of this meeting and we look forward to your questions and comments.*

*We are all here for the same reason. All opinions are welcomed and equally valuable. Our only request is that we address each other with civility and respect. Our courtesy toward each other is the best way to show our students how much we respect them as well.*

**Committee Members - Susan Baxter, Cedric Dettmar, Tracy Magnotta,  
Shamim Pakzad**

## **Committee Agenda**

- I. **Call to the Order** – *Tracy Magnotta, Committee Chair*
  
- II. **Pledge of Allegiance**
  
- III. **Recording of Attendance** – *Tracy Magnotta, Committee Chair*
  
- IV. **Motion to Approve Agenda**
  
- V. **Approval of Minutes** – April 21, 2020
  
- VI. **Courtesy of the Floor to Visitors – Agenda Items Only** – *Visitors should state their name and address*
  
- VII. **Discussion**
  - A. Policy Review:
    - Policy 209.2 – Food Allergy Management
    - Policy 222 – Tobacco Use – Pupils
    - Policy 323 – Tobacco Use – Administrative Employees
    - Policy 423 – Tobacco Use – Professional Employees
    - Policy 523 – Tobacco Use – Classified Employees
  - B. Data Warehousing Vendors
  
- VIII. **New Business**

**IX. Old Business**

**X. Citizens' Inquiries and Comments** – *Visitors should state their name and address.*

**XI. Announcements**

**Future Meetings ~**

Tuesday, May 19, 2020

Wednesday, June 3, 2020

Tuesday, June 16, 2020

**XII. Motion to Adjourn Meeting**

***The Saucon Valley School District does not discriminate on the basis of race, color, national origin, age, sex, or handicap.***

**Academic and Personnel Committee of the Board**  
**April 21, 2020 5pm, virtual meeting via Zoom**

Meeting called to order 5:00pm by Mrs. Magnotta.

Pledge of Allegiance

Attendance: Committee: Mr. Dettmar, Mrs. Baxter, Mrs. Magnotta, Dr. Pakzad, Additional Board Members: Mrs. Sandy Miller, Mr. Mike Karabin, Mr. Ed Andres, Mr. Shawn Welch, Administration: Dr. Butler, Dr. Rosenberger, Ms. Tamara Gary, Mrs. Cindy Motter, Mr. James Deegan, Mrs. Jaime Vlasaty, Mr. Bob Frey, Ms. Lynn Cheddar, Mr. Tom Halcisak, Mr. Sakelarides, Visitors: Linda Castner, Deb Lacey, Jennifer Falcaro, Lara McCarthy, Matt Evancho, Kellie King, David Young, Jim Colbert, Theresa Andrucci, Jennifer Davison, Julie Bechtold, Pam Dobson, Lindsay Steiner, Jason Ashraf, Vivian Demko, Nicole Dilenno.

Agenda approved for the meeting this evening, 04/21/2020 motion by Mr. Dettmar and second by Dr. Pakzad.

Minutes from the 02/18/19 meeting were approved – motion by Dr. Pakzad and second by Mr. Dettmar.

Courtesy of the Floor to Visitors: None

Agenda:

1. **Data Warehousing Vendors** – Ms. Cheddar presented the current status of the present data warehouse utilized by the District and provided a summary of three data warehouses (LinkIt!, Performance Matters, EdInsight) reviewed by a team of teachers and administration from the spring of 2019 through the winter of 2020. The purpose and value of a data warehouse was discussed. Dr. Butler provided his recommendation for the EdInsight program. For a future meeting a request was made to bring some samples of reports able to be run by the warehouses as well as a priority of needs for what the warehouses may/not offer.
2. **Elementary Spanish Immersion Program** – Mrs. Motter presented a proposed Spanish Immersion program to begin in one first grade classroom during the 2020-2021 school year. Mrs. Motter outlined similar programs in three schools across the State. A proposal for how the program would look at Saucon Valley over multiple years in addition to budgetary costs was also presented to the committee. Prior to the Board meeting on April 28, a survey will be sent to current Kindergarten families on April 23<sup>rd</sup> to determine current interest (a prior survey was done two months ago). The proposal was supported by the committee and will move forward to the Board on April 27th.

New Business – None

Old Business - An update on physical education at the high school was raised. Dr. Butler and Dr. Rosenberger will follow up with the committee on further recommendations.

Meeting adjourned at 8:15pm (motion by Mr. Dettmar and second by Mrs. Baxter).

# ***Saucon Valley School District***

Policy

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Title – 209.2 Food Allergy Management

Section – 200 Pupils

Adopted – April 8, 2008

Revised –

Content

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## **Purpose**

The Board is committed to providing a safe and healthy environment for students with severe or life-threatening food allergies and shall establish policy to address food allergy management in district schools in order to:

1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions.
2. Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction.
3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities, including classroom parties and field trips.

The focus of food allergy management shall be on prevention, education, awareness, communication, and emergency response.

## **Authority**

The Board adopts this policy in accordance with applicable state and federal laws and regulations, and the guidelines established jointly by the PA Department of Education and PA Department of Health on managing severe or life-threatening food allergies in the school.

## Definitions

**Food allergy** - an abnormal, adverse reaction to a food that is triggered by the body's immune system.

**Medical Plans of Care** - written documents individualized for a particular student with a severe or life-threatening food allergy to address the student's needs throughout the school day, including:

1. **Emergency Care Plan (ECP)** - a medical plan of care based on the information provided in the student's Individualized Healthcare Plan (IHP) and distributed to all school personnel who have responsibilities for the student which specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed.
2. **Individualized Healthcare Plan (IHP)** - a medical plan of care that provides written directions for school health personnel to follow in meeting the individual student's healthcare needs. The plan describes functional problem areas, sets goals for overcoming problems, and lists tasks/interventions to meet the goals. The IHP shall include a Food Allergy Medical Management Plan developed by a student's personal healthcare team and family, which shall outline the student's prescribed healthcare regimen and be signed by the student's board-certified allergist, family physician, physician assistant or certified registered nurse practitioner.
3. **Related Services Component in Individualized Education Program (IEP)** - that part of an IEP for a student receiving special education and related services which includes reference to development and implementation of an IHP and ECP for students with a documented severe or life-threatening food allergy as well as identifying the medical accommodations, educational aids and services to address the student's needs.
4. **Section 504 Service Agreement** - a medical plan of care which references development and implementation of an IHP and ECP as well as other accommodations, educational aids and services a student with a documented severe or life-threatening food allergy requires in order to have equal access to educational programs, nonacademic services and extracurricular activities as students without food allergies.

## Guidelines

Prior to enrollment in the district or immediately after diagnosis of a food allergy, appropriate medical plans of care such as an ECP, IHP, Section 504 Service Agreement and/or IEP shall be developed for each student identified with a food allergy. Plans shall be developed by the school nurse, in collaboration with the student's

healthcare provider, the student's parents/guardians, district or school nutrition staff, the student, if appropriate, and any other appropriate persons.

Where a medical plan of care is developed, it should carefully describe the plan for coverage and care of a student during the school day as well as during school-sponsored activities which take place while the student is under school jurisdiction during or outside of school hours. Medical plans of care shall include components that (1) provide information to the school nutrition service regarding each student with documented severe or life-threatening food allergies and (2) educate affected students about safe food handling practices, as developmentally appropriate.

Medical plans of care should include both preventative measures to help avoid accidental exposure to allergens and emergency measures in case of exposure, including administration of emergency medication.

A complete set of a student's current medical plans of care related to food allergies shall be maintained by the school nurse. Information or copies of the different components of a student's medical plans of care shall be provided to appropriate personnel who may be involved in implementation of the medical plans of care.

#### Accommodating Students With Disabling Special Dietary Needs

Students with food allergies may be identified, evaluated and determined to be disabled, in which case the district shall make appropriate accommodations, substitutions or modifications in accordance with the student's medical plans of care.

The district must provide reasonable accommodations, substitutions or modifications for students with disabling dietary needs. The student's physician shall determine and document if the student has a disabling dietary need. Examples of a disability under this policy would include metabolic conditions (e.g., diabetes), severe food allergies or cerebral palsy.

Students who fall under this provision must have a written medical statement signed by a licensed physician, which shall be included with the student's IHP. The medical statement must identify:

1. The student's special dietary disability.
2. An explanation of why the disability restricts the student's diet.
3. The major life activity(ies) affected by the disability.
4. The food(s) to be omitted from the student's diet.
5. The food or choice of foods that must be provided as the substitute.

## Accommodating Students With Nondisabling Special Dietary Needs

The district may, at its discretion, make appropriate accommodations, substitutions, or modifications for students who have a special dietary need but who do not meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

Students who fall under this provision must have a written medical statement signed by a physician, physician assistant or certified registered nurse practitioner identifying the following:

1. The medical or other special dietary condition which restricts the student's diet.
2. The food(s) to be omitted from the student's diet.
3. The food or choice of foods to be substituted.

## Confidentiality

The district shall maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. District staff shall maintain the confidentiality of student records as required by law, regulations and Board policy.

## Delegation of Responsibility

The Superintendent or designee, in coordination with the school nurse, school nutrition services staff, and other pertinent staff, shall develop administrative regulations to implement this policy or adopt as administrative regulations the suggested guidelines developed by the Pennsylvania Departments of Education and Health and National School Boards Association (NSBA) guidance on managing severe or life-threatening food allergies in district schools. The administrative regulations shall address management of severe or life-threatening food allergies in classrooms and instructional areas, school cafeterias, outdoor activity areas, on school buses, during field trips, and during school activities held before the school day and after the school day.

Administrative regulations should address the following components:

1. Identification of students with food allergies and provision of school health services.
2. Development and implementation of individual written management plans.
3. Medication protocols, including methods of storage, access and administration.

4. Development of a comprehensive and coordinated approach to creating a healthy school environment.
5. Communication and confidentiality.
6. Emergency response.
7. Professional development and training for school personnel.
8. Awareness education for students.
9. Awareness education and resources for parents/guardians.
10. Monitoring and evaluation.

The Superintendent or designee shall annually notify students, parents/guardians, staff, and the public about the district's food allergy management policy by publishing such in handbooks and newsletters, on the district's website, and through posted notices and other efficient methods.

#### Legal

24 P.S. 1422.3  
Pol. 113  
Pol. 103.1  
Pol. 210  
Pol. 210.1  
7 CFR 15b.40  
Pol. 113.4  
Pol. 209  
Pol. 216  
Pol. 121  
Pol. 246  
Pol. 808  
Pol. 810  
Pol. 146  
Pol. 805  
P.S. 1422.1  
PA Code 12.41  
U.S.C. 1232g  
U.S.C. 1400 et seq  
U.S.C. 794  
U.S.C. 12101 et seq  
CFR Part 15  
CFR Part 35  
CFR Part 99  
CFR Part 104

CFR Part 300

Pol. 103

Safe at Schools and Ready to Learn: A Comprehensive Policy Guide for Protecting Students with Life-Threatening Food Allergies – National School Boards Association  
Pennsylvania Guidelines for Management of Food Allergies in Schools:  
Recommendations and Resource Guide for School Personnel – Pennsylvania  
Departments of Education and Health

# ***Saucon Valley School District***

## Policy

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Title – 222 Tobacco Use

Section – 200 Pupils

Adopted – August 23, 2016

Revised –

Content

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### **Purpose**

The Board recognizes that tobacco products 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. The purpose of this policy is to prohibit student possession, use, purchase and sale of tobacco and vaping products.

### **Definition**

~~For purposes of this policy, tobacco use, sale, distribution or possession of tobacco in any form (including e-cigarettes, "vape", vaporizers, and/or look-alike products) by students, including students who are 19 years of age or older, while under the jurisdiction of the school is prohibited. This policy also prohibits any items that display, promote, or advertise tobacco use or products, including clothing, bags, personal items, and vaporizers or other delivery devices, whether or not those devices contain tobacco or nicotine. Tobacco is defined to include tobacco in any form, nicotine, and nicotine delivery devices. FDA approved nicotine replacement therapy products that are used to quit tobacco or smoking may be permitted upon prior approval of the school administrator.~~

State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:

1. 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.
2. 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.

3. Any product containing, made or derived from either:
  - a. Tobacco, whether in its natural or synthetic form; or
  - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
4. 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. 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.
2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act.

For the purposes of this policy, vaping products include products marketed under the brand name Juul, any electronic device designed to deliver nicotine or another substance by inhaling from the device, and other e-cigarettes, regardless of whether such products contain tobacco or nicotine.

### **Authority**

The Board prohibits the possession, use, purchase, or sale of tobacco products and vaping products, including the product marketed as Juul and other e-cigarettes, regardless of whether such products contain tobacco or nicotine, ~~use and possession~~ by or to 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 also prohibits the possession, use, or sale of tobacco products or vaping products ~~and 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 in violation of this policy.~~

The Board prohibits student possession or use of products marketed and sold as tobacco cessation products or for other therapeutic purposes, except as authorized in the Board's Medication policy.

The Board prohibits student possession of any form of medical marijuana at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; on property owned, leased or controlled by the school district; or at school-sponsored activities that are held off school property.

The Board authorizes the confiscation and disposal of products prohibited by this policy.

### **Delegation of Responsibility**

The Superintendent or designee shall annually notify students, parents/guardians, and staff about the Board's district's tobacco and vaping products use use policy by publishing information such policy in the student handbooks, the Code of Student Conduct, parental newsletters, posters, notices, and by other efficient methods such as posted notices, signs, and on the district website.

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

### **Reporting**

The Superintendent shall annually, by July 31, report all incidents of possession, use, or sale of tobacco and vaping products, including Juuls or other e-cigarettes, by students to the Office for Safe Schools on the required form.

The Superintendent or designee may report incidents of possession, use, or sale of tobacco and vaping products, including Juuls or other e-cigarettes, by students on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from a school or school-sponsored activity to School Resource Officer (SRO) or to the local police department that has jurisdiction over the school's property, in accordance with (1) state law and regulations, (2) the procedures set forth in the memorandum of understanding with local law enforcement, and (3) Board policies.

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving the possession, use, or sale of a tobacco or vaping product immediately or as soon as practicable. The Superintendent 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 Superintendent or designee shall document attempts made to reach the parent/guardian.

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco and vaping products by students on school property to the Office of Safe Schools on the required form.

## Guidelines

A student who violates this policy shall be subject to prosecution initiated by the district and, if convicted, shall be required to pay a fine for the benefit of the district, plus court costs. In lieu of the imposition of a fine, the court may admit the student to an adjudication alternative.

Tampering with devices installed to detect use of tobacco or vaping products shall be deemed a violation of this policy and subject to disciplinary action pursuant to Board policy and the Code of Student Conduct.

## Students with Disabilities

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies.

~~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~~

35 P.S. 1223.5

18 Pa C.S.A. 6305, 6306.1

20 U.S.C. 7183, 7973

20 U.S.C. 1400 et seq

22 PA Code 10.2, 10.22, 10.25, 10.23

Policies 103.1, 113.1, 113.2, 805.1

24 P.S. 1303-A, 1302.1-A

24 P.S. 510

U.S.C. 7114, 7118, 7181 et seq

CRF Part 300

34 CFR Part 300

Pennsylvania Department of Health Medical Marijuana Guidance for Schools and School Districts

# **Saucon Valley School District**

## Policy

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Title – 323 Tobacco Use

Section – 300 Administrative Employees

Adopted – November 14, 2006

Revised – August 23, 2016

## Content

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### **Purpose**

The Board recognizes that tobacco and vaping products ~~use~~ ~~use during school hours~~ ~~and on school property~~ present a health and safety hazard that can have serious consequences for users, nonusers, and the safety and environment of the schools. The purpose of this policy is to regulate use of tobacco and vaping products by district employees and contracted personnel.

### **Definition**

~~For purposes of this policy, tobacco use, sale, distribution or possession of tobacco in any form (including e-cigarettes, "vape", vaporizers, and/or look-alike products) by students, including students who are 19 years of age or older, while under the jurisdiction of the school is prohibited. This policy also prohibits any items that display, promote, or advertise tobacco use or products, including clothing, bags, personal items, and vaporizers or other delivery devices, whether or not those devices contain tobacco or nicotine. Tobacco is defined to include tobacco in any form, nicotine, and nicotine delivery devices. FDA approved nicotine replacement therapy products that are used to quit tobacco or smoking may be permitted upon prior approval of the school administrator.~~

State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:

1. 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.
2. 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.

3. Any product containing, made or derived from either:

a. Tobacco, whether in its natural or synthetic form; or

b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

4. 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. 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.

2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act.

For the purposes of this policy, vaping products include products marketed under the brand name Juul, any electronic device designed to deliver nicotine or another substance by inhaling from the device, and other e-cigarettes, regardless of whether such products contain tobacco or nicotine.

### **Authority**

The Board prohibits the use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by administrative employees in school buildings and on any property, buses, vans, and vehicles that are owned, leased, or controlled by the school district.

The Board also prohibits the use of tobacco and vaping products by district employees at school-sponsored activities that are held off school property.

~~The district shall annually notify employees about the district's tobacco use policy by publishing such in handbooks, newsletters, posted notices, and other efficient methods.~~

~~Incidents of possession, use and sale of tobacco by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year.~~

### **Delegation of Responsibility**

The Superintendent or designee shall notify employees and contracted personnel about the Board's tobacco and vaping products policy by publishing information in handbooks, newsletters, posters, or other efficient methods such as posted notices, signs, and on the district website.

## Reporting

The Superintendent shall annually, by July 31, report all incidents of prohibited possession, use, or sale of tobacco or vaping products on school property to the Office of Safe Schools on the required form.

The Superintendent or designee may report incidents involving the sale of tobacco and vaping products to minors by employees on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from school or 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 district's memorandum of understanding with local law enforcement, and Board policies

## **Guidelines**

This policy does not prohibit the use of a patch, gum, or lozenge as a smoking cessation product by any employee who has a written order by a physician.

This policy does not prohibit possession of tobacco and vaping products by district employees or contracted personnel of legal age.

It is a violation of this policy for any district employee or contracted personnel to furnish a tobacco or vaping product to a student.

35 P.S. 1223.5

20 U.S.C. 7183

24 P.S. 1302.1-A and 1303-A

Pol. 805.1

18 Pa. C.S.A. 6305

22 PA Code 10.2 and 10.22

24 P.S. 1302.1-A

20 U.S.C. 7973

20 U.S.C. 7971 et seq.

# **Saucon Valley School District**

## Policy

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Title – 423 Tobacco Use

Section – 400 Professional Employees

Adopted – November 14, 2006

Revised – August 23, 2016

## Content

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### **Purpose**

The Board recognizes that tobacco and vaping products ~~use~~ during school hours and on school property present a health and safety hazard that can have serious consequences for users, nonusers, and the safety and environment of the schools. The purpose of this policy is to regulate use of tobacco and vaping products by district employees and contracted personnel.

### **Definition**

~~For purposes of this policy, tobacco use, sale, distribution or possession of tobacco in any form (including e-cigarettes, "vape", vaporizers, and/or look-alike products) by students, including students who are 19 years of age or older, while under the jurisdiction of the school is prohibited. This policy also prohibits any items that display, promote, or advertise tobacco use or products, including clothing, bags, personal items, and vaporizers or other delivery devices, whether or not those devices contain tobacco or nicotine. Tobacco is defined to include tobacco in any form, nicotine, and nicotine delivery devices. FDA approved nicotine replacement therapy products that are used to quit tobacco or smoking may be permitted upon prior approval of the school administrator.~~

State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:

1. 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.
2. 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.

3. Any product containing, made or derived from either:
  - a. Tobacco, whether in its natural or synthetic form; or
  - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
4. 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. 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.
2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act.

For the purposes of this policy, vaping products include products marketed under the brand name Juul, any electronic device designed to deliver nicotine or another substance by inhaling from the device, and other e-cigarettes, regardless of whether such products contain tobacco or nicotine.

### **Authority**

The Board prohibits the use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by administrative employees in school buildings and on any property, buses, vans, and vehicles that are owned, leased, or controlled by the school district.

The Board also prohibits the use of tobacco and vaping products by district employees at school-sponsored activities that are held off school property.

~~The district shall annually notify employees about the district's tobacco use policy by publishing such in handbooks, newsletters, posted notices, and other efficient methods.~~

~~Incidents of possession, use and sale of tobacco by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year.~~

### **Delegation of Responsibility**

The Superintendent or designee shall notify employees and contracted personnel about the Board's tobacco and vaping products policy by publishing information in handbooks, newsletters, posters, or other efficient methods such as posted notices, signs, and on the district website.

## Reporting

The Superintendent shall annually, by July 31, report all incidents of prohibited possession, use, or sale of tobacco or vaping products on school property to the Office of Safe Schools on the required form.

The Superintendent or designee may report incidents involving the sale of tobacco and vaping products to minors by employees on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from school or 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 district's memorandum of understanding with local law enforcement, and Board policies

## **Guidelines**

This policy does not prohibit the use of a patch, gum, or lozenge as a smoking cessation product by any employee who has a written order by a physician.

This policy does not prohibit possession of tobacco and vaping products by district employees or contracted personnel of legal age.

It is a violation of this policy for any district employee or contracted personnel to furnish a tobacco or vaping product to a student.

35 P.S. 1223.5

20 U.S.C. 7183

24 P.S. 1302.1-A and 1303-A

Pol. 805.1

18 Pa. C.S.A. 6305

22 PA Code 10.2 and 10.22

24 P.S. 1302.1-A

20 U.S.C. 7973

20 U.S.C. 7971 et seq.

# **Saucon Valley School District**

## Policy

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Title – 523 Tobacco Use

Section – 500 Classified Employees

Adopted – November 14, 2006

Revised – August 23, 2016

## Content

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### **Purpose**

The Board recognizes that tobacco and vaping products ~~use~~ ~~during school hours~~ ~~and on school property~~ present a health and safety hazard that can have serious consequences for users, nonusers, and the safety and environment of the schools. The purpose of this policy is to regulate use of tobacco and vaping products by district employees and contracted personnel.

### **Definition**

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State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:

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2. 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.

3. Any product containing, made or derived from either:
  - a. Tobacco, whether in its natural or synthetic form; or
  - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
4. 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. 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.
2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act.

For the purposes of this policy, vaping products include products marketed under the brand name Juul, any electronic device designed to deliver nicotine or another substance by inhaling from the device, and other e-cigarettes, regardless of whether such products contain tobacco or nicotine.

### **Authority**

The Board prohibits the use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by administrative employees in school buildings and on any property, buses, vans, and vehicles that are owned, leased, or controlled by the school district.

The Board also prohibits the use of tobacco and vaping products by district employees at school-sponsored activities that are held off school property.

~~The district shall annually notify employees about the district's tobacco use policy by publishing such in handbooks, newsletters, posted notices, and other efficient methods.~~

~~Incidents of possession, use and sale of tobacco by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year.~~

### **Delegation of Responsibility**

The Superintendent or designee shall notify employees and contracted personnel about the Board's tobacco and vaping products policy by publishing information in handbooks, newsletters, posters, or other efficient methods such as posted notices, signs, and on the district website.

## Reporting

The Superintendent shall annually, by July 31, report all incidents of prohibited possession, use, or sale of tobacco or vaping products on school property to the Office of Safe Schools on the required form.

The Superintendent or designee may report incidents involving the sale of tobacco and vaping products to minors by employees on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from school or 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 district's memorandum of understanding with local law enforcement, and Board policies

## **Guidelines**

This policy does not prohibit the use of a patch, gum, or lozenge as a smoking cessation product by any employee who has a written order by a physician.

This policy does not prohibit possession of tobacco and vaping products by district employees or contracted personnel of legal age.

It is a violation of this policy for any district employee or contracted personnel to furnish a tobacco or vaping product to a student.

35 P.S. 1223.5

20 U.S.C. 7183

24 P.S. 1302.1-A and 1303-A

Pol. 805.1

18 Pa. C.S.A. 6305

22 PA Code 10.2 and 10.22

24 P.S. 1302.1-A

20 U.S.C. 7973

20 U.S.C. 7971 et seq.