



Book	Policy Manual
Section	900 Community
Title	Public Attendance at School Events
Code	904
Status	Active
Adopted	June 28, 2004
Last Revised	November 9, 2020

### **Purpose**

The Board welcomes the public at activities and events sponsored by the School District, but the Board also acknowledges its duty to maintain order and preserve school facilities and health and safety during such events. This policy establishes conditions, restrictions and procedures to regulate public attendance and conduct at school and 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: [\[1\]](#)[\[2\]](#)

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: [\[1\]](#)[\[2\]](#)

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. *Federal law requires the District to maintain a drug-free environment, at which marijuana of any kind is prohibited.* [3][4]

### **Authority**

The Board has the authority to prohibit at a school event the attendance of any individual whose conduct may constitute a disruption. The superintendent or designee and building principal may limit attendance to designated areas or may limit the number of attendees to school events when necessary to protect the health and safety of students, staff and the public, in accordance with Board-approved health and safety plans and guidance from state and local officials.

The Board prohibits gambling and the possession and use of controlled substances prohibited by state or federal law, alcoholic beverages and weapons on school premises. [5][6]

The superintendent or designee and building principal may limit attendance to designated areas or may limit the number of attendees to school events when necessary to protect the health and safety of students, staff and the public, in accordance with Board-approved health and safety plans and guidance from state and local officials.

### **Tobacco and Vaping Products**

The Board 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 school building; on school buses or other vehicles that are owned, leased or controlled by the School District; or on property owned, leased or controlled by the School District. [2][7]

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 school or school-sponsored activities.

The Board deems it to be a violation of this policy for an individual in attendance at school or a 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 school events shall be prepared by the superintendent or designee and adopted by the Board.

The superintendent shall ensure that this policy is posted on the District's publicly accessible website. [8]

### **Reports**

#### *Office for Safe Schools Report –*

The superintendent 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 school property to the Office for Safe Schools on the required form. [9][10]

## *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 Board policies, the superintendent or designee may report to the School Resource Officer (SRO) or to the local police department that has jurisdiction over the school's property, the use or sale of tobacco or vaping products, including Juuls and other e-cigarettes, by any person in a school building; on a school bus or other vehicles that are owned, leased or controlled by the School District; or on any property owned leased or controlled by the School District. [\[1\]](#)[\[2\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

### **Guidelines**

#### Golden Age Activity Card

Residents of Derry Township sixty-five (65) years of age and over are eligible for a Golden Age Card, which entitles them to free admission to all home athletic events (except the Cocoa Bean Game), plays (except the high school musical), concerts, etc., for which there would normally be a charge.

Eligible residents may receive their cards by writing to the Office of the superintendent of Schools, Derry Township School District, 30A East Granada Avenue, P. O. Box 898, Hershey, Pa. 17033, or calling 534-2501 for an application. Once issued, the card remains valid for the life of the individual but is not transferable.

Golden Age Cards are automatically issued as a courtesy to all retiring school staff members, as well as to any Board member who has served a minimum of one (1) full term. This includes the retiring member and spouse.

#### Service Animals

Individuals with disabilities may be accompanied by their service animals while on District property for events that are open to the general public in accordance with Board policy and state and federal law and regulation. [\[14\]](#)[\[15\]](#)[\[16\]](#)

#### 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. 511](#)

[6. 24 P.S. 775](#)

[7. 20 U.S.C. 7973](#)

[8. 24 P.S. 510.2](#)

[9. 24 P.S. 1303-A](#)

10. Pol. 805.1

[11. 24 P.S. 1302.1-A](#)

[12. 22 PA Code 10.2](#)

[13. 22 PA Code 10.22](#)

[14. 43 P.S. 953](#)

[15. 28 CFR 35.136](#)

16. Pol. 718

[20 U.S.C. 7971 et seq](#)

[28 CFR Part 35](#)

Pol. 705

[904 PubBehaviorSchEvents.pdf \(62 KB\)](#)