



Book	Policy Manual
Section	200 Pupils
Title	Tobacco/Nicotine Use and Electronic Cigarettes
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Legal	2. 35 P.S. 1223.5 3. 20 U.S.C. 7183 4. 24 P.S. 1303-A 5. 18 Pa. C.S.A. 6306.1 24 P.S. 510 22 PA Code 403.1 20 U.S.C. 7114 20 U.S.C. 7181 et seq Pol. 000
Adopted	April 18, 2013

Purpose

The Board recognizes that tobacco and electronic cigarette use by students, staff, and the public on school district ~~presents~~ presents a health and safety hazard that can have serious consequences for both users and nonusers and degrades the safety of the school environment. ~~the safety and environment of the schools.~~

Northern York County School District provides a multi-faceted approach to tobacco/nicotine prevention. This approach focuses on the establishment of strong partnerships between staff, administrators, coaches, parents/guardians, students, and the community.

It is the Board's intent to establish policies that support students, staff, and the general public and promote non-use behavior while on school property.

This policy, and its associated guidelines and procedures, is intended to:

1. Protect the health and safety of all students;
2. Provide an effective Student Assistance Program (SAP) and educational cessation program options for students who are using tobacco, electronic cigarettes, and similar products;
3. Empower students to make responsible choices related to non-use of such products; and
4. Provide a safe and secure learning environment in which all students may realize their fullest potential.

Definition

Tobacco product means any product containing, made, or derived from tobacco that are intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. Examples include but not limited to cigarettes; cigars; little cigars; dry snuff, moist snuff/chewing tobacco; snus; dissolvables; hookah; blunt wraps; and any oil or liquid/solid substance that produces the same physical manifestations that tobacco/smokeless tobacco/nicotine produces.

Electronic Cigarette means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.

Tobacco related devices means ashtrays, cigarette papers or pipes for smoking or any components, parts, or accessories of electronic cigarettes, including cartridges.

The phrase **look-alike products** for purposes of this policy means substances that individuals attempt to use, possess, or sell as a tobacco, nicotine, or electronic cigarette product or device.

School property means all facilities and property, including land, whether owned, rented, or leased by Northern York County School District, and all vehicles owned, leased, rented, contracted for, or controlled by Northern York County School District for use in transporting students, staff, or visitors

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; and smokeless tobacco in any form. [5]

Authority

The Board prohibits tobacco/nicotine and ~~electronic-use~~ cigarette use and possession by students at any time on school property or school sponsored activities held off school property, in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district. [2][3]

~~The Board prohibits tobacco use and possession by students at school sponsored activities that are held off school property.~~

The school district shall initiate prosecution of a student who possesses or uses tobacco/nicotine and/or electronic-cigarettes in violation of this policy. Students found to be in violation of this policy may access the SAP and will be offered participation in a smoking/tobacco cessation/education program. [5]

Delegation of Responsibility

The Superintendent or designee shall annually notify students, parents/guardians and staff about the district's tobacco/nicotine and ~~electronic-cigarette~~ use policy by publishing such policy in the student handbook, parent newsletters, posted notices, district website and other efficient methods.

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco/nicotine/look-alike substances by any person on school property or at any school-sponsored to the Office of Safe Schools on the required form in accordance with state law and regulation. The school district shall report such activity to the local police department that has jurisdiction over the property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policy ~~the Office of Safe Schools on the required form in accordance with state law and regulation.~~ [4]

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

Guidelines

A student convicted of possessing or using tobacco/nicotine or electronic cigarettes in violation of this policy may be fined up to ~~seventy-five~~ fifty dollars (~~\$7550~~) plus court costs or admitted to alternative adjudication in lieu of imposition of a fine by the Magisterial District Judge. [5]

Students found in violation will be subject to a suspension from school and/or other appropriate disciplinary action.

Items of tobacco/nicotine and electronic cigarette use/sale by students shall be confiscated and parents/guardians shall be notified of violations of this policy.

Last Modified by Eric Eshbach on June 10, 2016