

FOX CHAPEL AREA SCHOOL DISTRICT

Book	Policy Manual
Section	900 Community
Title	Public Attendance at School Events
Code	904
Status	Active
Adopted	May 10, 2010
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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

For purposes of this policy, **tobacco product** encompasses not only tobacco but also vaping products including 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]

Attendees shall be informed of the district's health and safety rules through announcements and posting of appropriate signage. Health and safety rules must be followed prior to entry and while attendees are in school buildings and on school property, in accordance with Board policy, district procedures, the Board-approved health and safety plans and guidance from state and local officials.[7]

Tobacco and Vaping Products

The Board prohibits use of tobacco and vaping products, including 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][8]

This policy does not prohibit possession of tobacco products 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 product 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.[9]

Reports

Annual School Safety and Security Incidents Report –

The Superintendent shall annually, by July 31, report all incidents of prohibited possession, use or sale of tobacco products by any person on school property to the PA Department of Education on the required form.[10][11][12]

Law Enforcement Incident Report –

In accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies, the Superintendent or designee may report to the law enforcement agency that has jurisdiction over the school's property, the use or sale of tobacco products 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.[\[1\]](#)[\[2\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)

Guidelines

Free Admittance

District personnel and School Board members will be admitted to all district-sponsored school events at no charge.

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 laws and regulations.[\[15\]](#)[\[16\]](#)[\[17\]](#)

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. Pol. 705
- [8. 20 U.S.C. 7973](#)
- [9. 24 P.S. 510.2](#)
- [10. 24 P.S. 1306.2-B](#)
- [11. 24 P.S. 1319-B](#)
12. Pol. 805.1
- [13. 22 PA Code 10.2](#)
- [14. 22 PA Code 10.22](#)
- [15. 28 CFR 35.136](#)
- [16. 43 P.S. 953](#)
17. Pol. 718
- [35 P.S. 637.1 et seq](#)
- [20 U.S.C. 7971 et seq](#)
- [28 CFR Part 35](#)

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