

UPPER BUCKS COUNTY TECHNICAL SCHOOL

SECTION: PUPILS

TITLE: TOBACCO USE

ADOPTED: February 21, 2008

REVISED: March 19, 2015

222. TOBACCO USE	
<p>1. Purpose</p>	<p>The Joint Operating Committee 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 school.</p>
<p>2. Definition 35 P.S. Sec. 1223.5</p>	<p>For purposes of this policy, tobacco includes a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form. Electronic cigarettes and liquid nicotine products are included in this definition.</p> <p>Electronic cigarettes are defined as battery-operated products designed to deliver nicotine, flavor, and other chemicals by turning the substance into a vapor that is inhaled by the user.</p>
<p>3. Authority 18 Pa. C.S.A. Sec. 6305 35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7183</p> <p>Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2, 805.1</p>	<p>The Joint Operating Committee prohibits possession, use or sale of tobacco 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.</p> <p>The Joint Operating Committee prohibits possession, use or sale of tobacco and electronic cigarettes by students on school property and at school-sponsored activities that are held off school property.</p> <p>In the case of a student with a disability, including a student for whom an evaluation is pending, the school shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.</p>
<p>4. Delegation of Responsibility</p>	<p>The Executive Director or designee shall annually notify students, parents/guardians and staff about the school's tobacco use policy by publishing such policy in the student handbook, posted notices, and other efficient methods.</p> <p>The Executive Director or designee shall develop administrative regulations to implement this policy.</p>

<p>5. Guidelines SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.22 Pol. 805.1</p> <p>Title 22 Sec. 10.2, 10.25 Pol. 805.1</p> <p>SC 1303-A Pol. 805.1</p> <p>18 Pa. C.S.A. Sec. 6306.1</p>	<p>The Executive Director or designee may report incidents of possession, use or sale of tobacco by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from the school or a 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 memorandum of understanding with local law enforcement and Joint Operating Committee policies.</p> <p>The Executive Director or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of tobacco immediately, as soon as practicable. The Executive Director 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 Executive Director or designee shall document attempts made to reach the parent/guardian.</p> <p>In accordance with state law, the Executive Director shall annually, by July 31, report all incidents of possession, use or sale of tobacco by students to the Office for Safe Schools on the required form.</p> <p>A student convicted of possessing or using tobacco in violation of this policy may be fined up to fifty dollars (\$50) plus court costs or admitted to alternative adjudication in lieu of imposition of a fine.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 510, 1302.1-A, 1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.22, 10.23, 10.25, 403.1</p> <p>Sale of Tobacco – 18 Pa. C.S.A. Sec. 6305</p> <p>Tobacco Use Prohibition – 18 Pa. C.S.A. Sec. 6306.1</p> <p>School Tobacco Control – 35 P.S. Sec. 1223.5</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.</p> <p>Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Joint Operating Committee Policy – 000, 103.1, 113.1, 113.2, 805.1</p>
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