

# EPHRATA AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TOBACCO

ADOPTED: April 25, 2005

REVISED: November 16, 2015

222. TOBACCO	
<p>1. Purpose</p>	<p>The Board recognizes that tobacco presents a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the schools.</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.</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>The Board 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 district.</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 Board prohibits possession, use or sale of tobacco by students at school-sponsored activities that are held off school property.</p>
<p>4. Delegation of Responsibility</p>	<p>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 laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</p>
	<p>The Superintendent or designee shall annually notify students, parents/guardians and staff about the district's tobacco policy by publishing such policy in the student handbook, parent newsletters, posted notices, district website and other efficient methods and, in the health curriculum, through instruction on the potential hazards of the use of tobacco.</p>
	<p>The Superintendent 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 Superintendent 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 a 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 memorandum of understanding with local law enforcement and Board policies.</p> <p>The Superintendent 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 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.</p> <p>In accordance with state law, the Superintendent 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>
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References:

School Code – 24 P.S. Sec. 510, 1302.1-A, 1303-A

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.22, 10.23, 10.25, 403.1

Sale of Tobacco – 18 Pa. C.S.A. Sec. 6305

Tobacco Use Prohibition – 18 Pa. C.S.A. Sec. 6306.1

School Tobacco Control – 35 P.S. Sec. 1223.5

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

No Child Left Behind Act – 20 U.S.C. Sec. 7114

Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300

Board Policy – 000, 103.1, 113.1, 113.2, 805.1