

# HAMBURG AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TOBACCO

ADOPTED: March 23, 2015

REVISED:

	222. TOBACCO
1. Purpose	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.
2. Definition 35 P.S. Sec. 1223.5	For purposes of this policy, <b>tobacco</b> includes a lighted or unlighted cigarette, cigar, pipe, vaporizer, electronic cigarette, or other smoking product or material and smokeless tobacco in any form.
3. Authority 18 Pa. C.S.A. Sec. 6305 35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7183	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.  The Board prohibits possession, use or sale of tobacco by students at school-sponsored activities that are held off school property.
18 Pa. C.S.A. Sec. 6306.1	The school district may initiate prosecution of a student who possesses or uses tobacco in violation of this policy.
Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2, 805.1	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.
4. Delegation of Responsibility	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, Code of Student Conduct, district website and other efficient methods.  The Superintendent or designee shall develop administrative regulations to implement this policy.

<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 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>No Child Left Behind Act – 20 U.S.C. Sec. 7114</p>
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	<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>Board Policy – 000, 103.1, 113.1, 113.2, 805.1</p>
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