

## SUGAR VALLEY RURAL CHARTER SCHOOL

POLICY NUMBER: 222  
SECTION: PUPILS  
TITLE: **TOBACCO AND VAPING**  
DATE ADOPTED: NOVEMBER 2000  
DATE LAST ADOPTED: JULY 2020

### **TOBACCO AND VAPING**

#### PURPOSE

The Board recognizes that tobacco, nicotine and nicotine delivery products present a health and safety hazard which can have serious consequences for both users and nonusers and the safety of the schools and is of concern to the Board.

#### DEFINITION

For purposes of this policy, **tobacco** shall be defined as use and or possession of a lighted or unlighted cigarette, cigar, cigarillo, little cigar, pipe or other smoking product or material and smokeless tobacco in any form including chewing tobacco, snuff, dip, or dissolvable tobacco pieces. (Title 18 Sec. 6306.1)

For purposes of this policy, **nicotine** shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.

For purposes of this policy, a **nicotine** delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.

#### AUTHORITY

The Board prohibits students from possessing and using tobacco, nicotine and nicotine delivery product at any time in a school building, on a school bus, on school approved activities and on school property owned by, leased by, or under the control of the Charter School.

The Board also prohibits possession, use or sale of tobacco, nicotine and nicotine delivery products by students at school sponsored activities that are held off school property.

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.

### DELEGATION OF RESPONSIBILITY

The CEO or designee shall annually notify students and parents about the school tobacco use policy by publishing such information in the student handbook, parental newsletters, posters, and by other efficient methods, such as posted notices, signs and on the district website.

SVRCS has developed a curriculum in the area of Wellness and Health that provides students with affirmation of the value of healthy human relationships and specifically instructing students against the use of tobacco.

The CEO or designee shall develop procedures to implement this policy. (SC 510, Title 18 Sec. 6306.1, Title 22 Sec. 12.3)

### GUIDELINES

#### Reporting

The CEO or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of tobacco, nicotine or nicotine delivery products immediately, as soon as practicable. The CEO 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 CEO or designee shall document attempts made to reach the parent/guardian.

The CEO shall annually, by July 31, report all incidents of possession, use or sale of tobacco, nicotine and nicotine delivery products by students to the Office for Safe Schools on the required form.

#### Additional Provisions - Tobacco Only

The CEO 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 school police or 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.

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 by the court to alternative adjudication in lieu of imposition of a fine.

## **REFERENCES**

35 P.S.1223.5  
18 Pa C.S.A 6305  
20 U.S.C.7183  
20 U.S.C 1400 et seq  
22 PA Code 10.23  
Pol. 103.1, 113.1, 113.2, 805.1  
22 PA Code 10.2  
22 PA Code 10.25  
24 P.S. 1303-A  
18 Pa C.S.A 6306.1  
24 P.S. 510  
20 U.S.C 7114  
20 U.S.C. 7118  
20 U.S.C. 7181 et seq  
34 CFR Part 300