

# PHOENIXVILLE AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: SMOKING / TOBACCO / VAPOR  
DELIVERY

ADOPTED: November 15, 2001

REVISED: January 20, 2011  
August 15, 2013  
November 20, 2014  
March 21, 2019

REVIEWED: October 19, 2017

222. SMOKING / TOBACCO / VAPOR DELIVERY	
<p>1. Purpose</p>	<p>The purpose of this policy is to ensure the Board recognizes that tobacco, nicotine and vapor delivery products present a health and safety hazard, which 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, <b>tobacco</b> includes a lighted or unlighted cigarette, cigar, cigarillo, little cigar, pipe; or other lighted smoking product or material; electronic cigarettes (“e-cigarettes”); and smokeless tobacco in any form, including chewing tobacco, snuff, dip or dissolvable tobacco pieces.</p> <p>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.</p> <p>For purposes of this policy, a vapor delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or any other 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.</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, nicotine or vapor delivery products by students at any time in a District building, and on any property, buses, vans and vehicles that are owned, leased or controlled by the District.</p> <p>The Board also prohibits possession, use or sale of tobacco, nicotine or vapor delivery products by students at District-sponsored activities that are held off District property.</p>
<p>Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 113.1,</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 any memoranda of understanding with law local enforcement and Board policies.</p>

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<p>113.2, 805.1</p> <p>4. Delegation of Responsibility</p>	<p>The Superintendent or designee shall annually notify students, parents/guardians and staff about the District's smoking/tobacco/vapor delivery use policy by publishing such policy in the student handbook, parent newsletters, posted notices, the District website and/or other efficient methods.</p> <p>The Superintendent or designee shall develop procedures for rehabilitation including but not limited to, counseling and smoking cessation programs. Progressive measures for repeated infractions include in-school suspensions, graduated fines and/or work program for the use and possession of tobacco or a vaping product by students on campus or at any district sponsored events.</p> <p>References:</p> <ul style="list-style-type: none"><li>35 P.S. 1223.5</li><li>20 U.S.C. 7183</li><li>22 PA Code 10.23</li><li>20 U.S.C. 1400 et seq</li><li>Pol. 113.1</li><li>Pol. 113.2</li><li>Pol. 805.1</li></ul>
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