

# ST. MARYS AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: TOBACCO FREE

ADOPTED: November 8, 2010

REVISED: September 14, 2015

REVISED: March 11, 2019

323. TOBACCO FREE	
<p>1. Purpose</p>	<p>The Board recognizes that tobacco use during school hours and on school property presents a health and safety hazard that can have serious consequences for the user and the nonuser and the safety of the schools.</p>
<p>2. Definition 35 P.S. 1223.5</p>	<p>For purposes of this policy, “tobacco product” means:</p> <ul style="list-style-type: none"> <li>a. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff;</li> <li>b. Any electronic smoking device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hookah;</li> <li>c. Any component, part or accessory of a tobacco product.</li> </ul> <p>For purposes of this policy, “electronic smoking device” means any electronic device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances to the user. “Electronic smoking device” includes any such electronic smoking device, whether manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen or any other product name or descriptor.</p> <p>For purposes of this policy, “tobacco use” means smoking, chewing, dipping, or any other use of tobacco products, including electronic smoking devices.</p> <p>For purposes of this policy, “smoke or smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or any form.</p>
<p>3. Authority 35 P.S. 1223.5 20 U.S.C. 7183</p>	<p>The Board prohibits use of any tobacco product and tobacco use, by administrative, professional and support employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.</p>

<p>35 P.S. 1223.5</p>	<p>The Board also prohibits use of any tobacco product and tobacco use, by district employees at school-sponsored activities that are held off school property.</p>
<p>4. Delegation of Responsibility 35 P.S. 1223.5</p>	<p>The Superintendent or designee shall notify employees about the Board’s tobacco use policy by publishing information in handbooks, newsletters, posters, and other efficient methods such as posted notices, signs and on the district website.</p>
<p>5. Guidelines</p>	<p>This policy does not prohibit the use of a patch, gum or lozenge as a smoking cessation product by any employee who has a written order by a physician.</p> <p><u>Reporting</u></p>
<p>24 P.S. 1303-A</p>	<p>The Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco products, on school property to the Office for Safe Schools on the required form.</p> <p><u>Additional Provisions - Tobacco Only</u></p>
<p>24 P.S. 1303-A 18 Pa. C.S.A.6305 22 PA Code 10.2 22 PA Code 10.22 24 P.S. 1302.1-A</p>	<p>The Superintendent or designee may report incidents involving the sale of tobacco to minors by employees 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, school resource officer (SRO) 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.</p> <p><b>References:</b> 24 P.S. Sec. 1303-A 35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7181 et seq. 18 Pa. C.S.A.6305 22 PA Code 10.2 22 PA Code 10.22 24 P.S. 1302.1-A</p>