

# UNITED SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: TOBACCO/NICOTINE/VAPING

ADOPTED: December 9, 2008

REVISED: April 9, 2019

## 323. TOBACCO/NICOTINE/VAPING

### Purpose

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

### Definitions

For purposes of this policy, **tobacco** includes 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 dissolvable tobacco pieces, or vaping paraphenalia. [\[1\]](#)

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 use of tobacco, nicotine, nicotine delivery, and vaping products 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. [\[1\]\[2\]](#)

The Board also prohibits use of tobacco, nicotine and nicotine delivery products by district employees at school-sponsored activities that are held off school property. [\[1\]](#)

**Delegation of Responsibility**

The Superintendent or designee shall notify employees about the Board's tobacco/nicotine/vaping policy by publishing information in handbooks and on the district website. [1]

**Guidelines**

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.

**Reporting**

The Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco, nicotine and nicotine and vaping delivery products on school property to the Office for Safe Schools on the required form. [3][4]

**Additional Provisions - Tobacco Only**

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. [3][4][5][6][7][8]

Legal

1. 35 P.S. 1223.5
2. 20 U.S.C. 7183
3. 24 P.S. 1303-A
4. Pol. 805.1
5. 18 Pa. C.S.A. 6305
6. 22 PA Code 10.2
7. 22 PA Code 10.22
8. 24 P.S. 1302.1-A
- 20 U.S.C. 7181 et seq