

SUN AREA TECHNICAL INSTITUTE

SECTION: PUPILS

TITLE: TOBACCO USE

ADOPTED: March 21, 2002

REVISED: June 20, 2013

	222. TOBACCO USE
1. Purpose	The Joint Operating Committee recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the school.
2. Definition 35 P.S. Sec. 1223.5	For purposes of this policy, tobacco includes a lighted or unlighted cigarette, cigar, pipe 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	<p>The Joint Operating Committee 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.</p> <p>The Joint Operating Committee prohibits possession, use or sale of tobacco by students at school-sponsored activities that are held off school property.</p>
Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2	In the case of a student with a disability, including a student for whom an evaluation is pending, the school 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 Joint Operating Committee policies.
4. Delegation of Responsibility	<p>The Administrative Director or designee shall annually notify students, parents/guardians and staff about the school's tobacco use policy by publishing such policy in the student handbook, parent newsletters, posted notices, and other efficient methods.</p> <p>The Administrative Director or designee shall develop administrative regulations to implement this policy.</p>

<p>5. Guidelines SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.22</p>	<p>The Administrative Director 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 the school or a 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 Joint Operating Committee policies.</p>
<p>Title 22 Sec. 10.2, 10.25</p>	<p>The Administrative Director 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 Administrative Director 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 Administrative Director or designee shall document attempts made to reach the parent/guardian.</p>
<p>SC 1303-A</p>	<p>In accordance with state law, the Administrative Director shall annually, by July 31, report all incidents of possession, use or sale of tobacco by students to the Office for Safe Schools on the required form.</p>
<p>18 Pa. C.S.A. Sec. 6306.1</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><u>Penalties</u></p> <p>In addition to the monetary fine, the following consequences shall also be imposed for misconduct:</p>
<p>Pol. 233</p>	<p>1. First Offense – One (1) day of in-school suspension.</p>
<p>Pol. 233</p>	<p>2. Second Offense –Three (3) days out-of-school suspension.</p>
<p>Pol. 233</p>	<p>3. Subsequent Offenses – An immediate referral to the Joint Operating Committee to determine if the student shall remain in school. Out-of-school suspension shall also be levied by the building administrator, with the number of days of such suspension at the discretion of the administrator, up to a maximum of ten (10) school days.</p>

References:

School Code – 24 P.S. Sec. 510, 1302.1-A, 1303-A, 1850.1

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.22, 10.23, 10.25, 403.1

Sale of Tobacco – 18 Pa. C.S.A. Sec. 6305

Tobacco Use Prohibition – 18 Pa. C.S.A. Sec. 6306.1

School Tobacco Control – 35 P.S. Sec. 1223.5

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300

Joint Operating Committee Policy – 103.1, 113.1, 113.2, 233