



Book	Policy Manual
Section	300 Employees
Title	Copy of Tobacco/Nicotine - PSBA Updated w/ Policy 805.1
Code	323
Status	DRAFT - Under Construction
Adopted	January 28, 2019
Last Revised	June 24, 2019
Last Reviewed	January 13, 2020

Purpose

The Board recognizes that tobacco, nicotine and nicotine delivery 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, or dissolvable tobacco pieces.[\[1\]](#)

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

For purposes of this policy, a **nicotine delivery product** shall mean any product or device used, intended for use or designed for the purpose of ingesting nicotine or any other like 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 and nicotine delivery 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.[\[1\]](#)[\[2\]](#)

Delegation of Responsibility

The Superintendent or designee shall notify employees about the Board's tobacco/nicotine policy by publishing information in handbooks, collective bargaining agreements, individual contracts, and Board resolutions.[\[1\]](#)

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 the possession, use, or sale of tobacco, nicotine and nicotine delivery products on school property to the Office for Safe Schools on the required form.^[3]

Summary Offense ~~Additional Provisions—Tobacco Only~~

The Superintendent or designee may report incidents involving the use of tobacco, nicotine, or nicotine delivery products, or the sale of tobacco, nicotine, or nicotine delivery products 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]}

Legal

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