

SECTION: PUPILS

TITLE: TOBACCO AND VAPING  
PRODUCTS

ADOPTED: September 26, 1979

REVISED: March 24, 1987, May 27, 1997,  
November 23, 2004, November 27,  
2019, October 22, 2024

# LINE MOUNTAIN SCHOOL DISTRICT

	222. Tobacco and Vaping Products
1. Purpose	<p>The Board recognizes that tobacco and vaping products, including the product marketed as Juul and other electronic cigarettes, present a health and safety hazard that can have serious consequences for users, nonusers and the school environment. The purpose of this policy is to prohibit student possession, use, purchase and sale of tobacco and vaping products, including Juuls and other electronic cigarettes.</p>
2. Authority	<p>The Board prohibits possession, use, purchase or sale of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, regardless of whether such products contain tobacco or nicotine, by or to students at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the School District; on property owned, leased or controlled by the School District; or at school-sponsored activities that are held off school property.</p> <p>The Board prohibits student possession or use of products marketed and sold as tobacco cessation products or for other therapeutic purposes, except as authorized in the Board's Medication policy.</p>
3. Delegation of Responsibility	<p>The Superintendent or designee shall develop administrative regulations to implement this policy.</p> <p>The Superintendent or designee shall notify students, parents/guardians and staff about the Board's tobacco and vaping products policy by publishing information in student handbooks, parental newsletters, posters, and by other efficient methods, such as posted notices, signs and on the District website and in the Code of Student Conduct.</p> <p><u>Reporting</u> <b><i>Parental Report</i></b> –</p> <p>The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use, purchase or sale of a tobacco or vaping product, including a Juul or other e-cigarette, immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.</p>

4. Guidelines

***Office for Safe Schools Report -***

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco and vaping products, including Juuls or other e-cigarettes, by students to the Office for Safe Schools on the required form.

***Law Enforcement Incident Report –***

The Superintendent or designee may report incidents of possession, use or sale of tobacco and vaping products, including Juuls or other e-cigarettes, by students 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 Police Officer (SPO) 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.

A student who violates this policy shall be subject to prosecution initiated by the District and, if convicted, shall be required to pay a fine for the benefit of the District, plus court costs. In lieu of the imposition of a fine, the court may admit the student to an adjudication alternative.

Tampering with devices installed to detect use of tobacco or vaping products shall be deemed a violation of this policy and subject to disciplinary action.

Students with Disabilities

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 the memorandum of understanding with local law enforcement and Board policies.

Legal

<u>1. 18 Pa. C.S.A. 6305</u>	<u>2. 18 Pa. C.S.A. 6306.1</u>	3. Pol. 210	4. Pol. 227
<u>5. 20 U.S.C. 7973</u>	<u>6. 22 PA Code 10.2</u>	<u>7. 22 PA Code 10.25</u>	<u>8. 24 P.S. 1303-A</u>
<u>9.. 22 PA Code 10.22</u>	<u>10. 24 P.S. 1302.1-A</u>	11. Pol. 218	<u>12. 20 U.S.C. 1400 et seq</u>
<u>13. 22 PA Code 10.23</u>	<u>14 P.S. 510</u>	<u>15.20 U.S.C. 7114</u>	<u>16. U.S.C. 711820</u>
<u>17. U.S.C. 7971 et seq</u>			