

CHESTER COUNTY INTERMEDIATE UNIT 24

SECTION: PUPILS
TITLE: TOBACCO USE
ADOPTED: JUNE 15, 2011
REVISED: MAY 20, 2020

222. TOBACCO USE

Policy Section	Policy Description
1. Purpose	<p>The Board recognizes that tobacco use and vaping products, including the product marketed as Juul and other electronic cigarettes, by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the safety and school environment of the Intermediate Unit and its programs. 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. Definition	<p>State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:^{[1][2]}</p> <ol style="list-style-type: none"> 1. 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, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus. 2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah. 3. Any product containing, made or derived from either: <ol style="list-style-type: none"> a. Tobacco, whether in its natural or synthetic form; or b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product. 4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately. <p>The term tobacco product does not include the following:^{[1][2]}</p> <ol style="list-style-type: none"> 1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled. NOTE: <i>This exception shall be governed by Board policy relating to Medications.</i>^[3]

	<p>2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. <i>NOTE: Guidance issued by the PA Department of Health directs schools to prohibit possession of any form of medical marijuana by students at any time on school property or during any school activities on school property. This exception shall be governed by Board policy relating to Controlled Substances/Paraphernalia.</i>[4]</p> <p>Legal References: 18 Pa. C.S.A., Sec. 6306.1</p> <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 an Intermediate Unit building; on school buses or other vehicles that are owned, leased or controlled by the Intermediate Unit; on property owned, leased or controlled by the Intermediate Unit; or at Intermediate Unit-sponsored activities that are held off Intermediate Unit property.[1][2][5]</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.[3]</p> <p>The Board prohibits student possession of any form of medical marijuana at any time in an Intermediate Unit building; on school buses or other vehicles that are owned, leased or controlled by the Intermediate Unit; on property owned, leased or controlled by the Intermediate Unit; or at Intermediate Unit-sponsored activities that are held off Intermediate Unit property.[4]</p> <p>The Board authorizes the confiscation and disposal of products prohibited by this policy.</p> <p>Legal References: 35 P.S., Sec. 1223.5, 20 U.S.C., Sec. 7183</p> <p>The Intermediate Unit may initiate prosecution of a student who possesses or uses tobacco in violation of this policy.</p> <p>Legal References: 18 Pa. C.S.A., Sec. 6306.1</p>
<p>3. Authority</p>	<p>The Executive Director or designee shall annually notify students, parents/guardians and staff about the Board's tobacco use policy by publishing such policy in the student handbook, parent newsletters, posted notices, and other efficient methods.</p> <p>The Executive Director or designee shall develop administrative regulations to implement this policy.</p> <p>The Executive Director 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 Intermediate Unit website.[2]</p> <p>Reporting</p> <p>Parental Report:</p> <p>The Executive Director or designee shall notify the parent/guardian of any student directly</p>

	<p>14. 22 PA Code 10.23 15. Pol. 103.1 16. Pol. 113.1 17. Pol. 113.2 20 U.S.C. 7114 20 U.S.C. 7118 20 U.S.C. 7971 et seq 24 P.S. 914-A 34 CFR Part 300 Pennsylvania Department of Health Medical Marijuana Guidance for Schools and School Districts</p> <p>Board Policy – 000, 218</p>
--	---