

# CHESTER COUNTY INTERMEDIATE UNIT 24

SECTION: COMMUNITY  
TITLE: PUBLIC ATTENDANCE AT INTERMEDIATE UNIT EVENTS  
ADOPTED: JULY 8, 2020  
REVISED:

## 904. PUBLIC ATTENDANCE AT INTERMEDIATE UNIT EVENTS

Policy Section	Policy Description
1. Purpose	<p>The Board welcomes the public at activities and events sponsored by the Intermediate Unit, but the Board also acknowledges its duty to maintain order and preserve Intermediate Unit facilities during such events. This policy establishes conditions, restrictions and procedures to regulate public attendance and conduct at Intermediate Unit activities and events.</p>
2. Definition	<p>State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including the product marketed as Juul and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with law, shall be defined to include the following:<a href="#">[1]</a><a href="#">[2]</a></p> <ul style="list-style-type: none"> <li>a. 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.</li> <li>b. 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.</li> <li>c. Any product containing, made or derived from either: <ul style="list-style-type: none"> <li>i. Tobacco, whether in its natural or synthetic form; or</li> <li>ii. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.</li> </ul> </li> <li>d. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.</li> <li>e. The term tobacco product does not include the following:<a href="#">[1]</a><a href="#">[2]</a></li> </ul>

<p>3. Authority</p>	<ul style="list-style-type: none"> <li>i. 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.</li> <li>ii. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. <i>Federal law requires the Intermediate Unit to maintain a drug-free environment, at which marijuana of any kind is prohibited.</i> [3][4]</li> </ul> <p>The Board has the authority to prohibit at an event under the jurisdiction of the Intermediate Unit, the attendance of any individual whose conduct may constitute a disruption. The Board prohibits gambling and the possession and use of controlled substances prohibited by state or federal law, alcoholic beverages and weapons on Intermediate Unit premises. [5][6]</p>
<p>4. Tobacco and Vaping Products</p>	<p>The Board prohibits use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by any persons at any time in an Intermediate Unit building; on school buses or other vehicles that are owned, leased or controlled by the Intermediate Unit; or on property owned, leased or controlled by the Intermediate Unit. [2][7]</p> <p>This policy does not prohibit possession of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by members of the public of legal age at Intermediate Unit activities or events.</p> <p>The Board deems it to be a violation of this policy for an individual in attendance at an Intermediate Unit activity or event to furnish a tobacco or vaping product, including the product marketed as Juul or any other e-cigarette, to a minor. [1]</p>
<p>5. Delegation of Responsibility</p>	<p>The Executive Director or designee shall notify members of the public about this policy by publishing information on the Intermediate Unit’s website, and by posting signs and notices.</p>
<p>6. Reports</p>	<ul style="list-style-type: none"> <li>a. Office for Safe Schools Report: The Executive Director shall annually, by July 31, report all incidents of prohibited possession, use or sale of tobacco and vaping products, including Juuls and other e-cigarettes, by any person on Intermediate Unit property to the Office for Safe Schools on the required form. [8][9]</li> <li>b. Law Enforcement Incident Report: In accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies, the Executive Director or designee may report to the school police, School Resource Officer (SRO) or to the local police department that has jurisdiction over the school property of the Intermediate</li> </ul>

<p>7. Guidelines</p> <p>Legal References:</p>	<p>Unit, the use or sale of tobacco or vaping products, including Juuls and other e-cigarettes, by any person in an Intermediate Unit building; on a school bus or other vehicles that are owned, leased or controlled by the Intermediate Unit; or on any property owned, leased or controlled by the Intermediate Unit.<sup>[1][2][8][9][10][11][12]</sup></p> <p>a. <u>Service Animals</u></p> <p>Individuals with disabilities may be accompanied by their service animals while on Intermediate Unit property for events that are open to the general public in accordance with Board policy and state and federal laws and regulations.<sup>[13][14][15]</sup></p> <ol style="list-style-type: none"> <li>1. <a href="#">18 Pa. C.S.A. 6305</a></li> <li>2. <a href="#">18 Pa. C.S.A. 6306.1</a></li> <li>3. <a href="#">20 U.S.C. 7118</a></li> <li>4. Pol. 351</li> <li>5. <a href="#">24 P.S. 775</a></li> <li>6. <a href="#">24 P.S. 914-A</a></li> <li>7. <a href="#">20 U.S.C. 7973</a></li> <li>8. <a href="#">24 P.S. 1303-A</a></li> <li>9. Pol. 805.1</li> <li>10. <a href="#">22 PA Code 10.2</a></li> <li>11. <a href="#">22 PA Code 10.22</a></li> <li>12. <a href="#">24 P.S. 1302.1-A</a></li> <li>13. <a href="#">28 CFR 3</a></li> <li>14. Title 55 Sec. 3270.68</li> <li>15. 55 PA Code Sec. 3270.68, 3270.79</li> </ol>
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