



**NORTH ALLEGHENY
SCHOOL DISTRICT**

SECTION:	ADMINISTRATIVE EMPLOYEES
TITLE:	USE OF TOBACCO AND TOBACCO-LIKE PRODUCTS
ADOPTED:	1/25/17
REVISED:	

Act 128

323 – USE OF TOBACCO AND TOBACCO-LIKE PRODUCTS

Section 1. Purpose

- a. The Board recognizes that the use of tobacco and tobacco-like products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The Board believes that the use of tobacco and tobacco-like products on school grounds, in school buildings and facilities, on school property, or at school-related or school-sponsored events is detrimental to the health and safety of students, employees, and visitors.
- b. The Board acknowledges that administrative employees and visitors serve as role models or students. The Board recognizes that it has an obligation to promote positive role models in schools and promote a healthy learning and working environment, free from unwanted smoke and tobacco or tobacco-like use for the students, employees, and visitors on the school campus.
- c. The Board believes that, as an educational institution, the school district must maintain a smoke-free environment in all locations utilized by the District.

Section 2. Definitions

- a. Electronic Cigarettes - battery-operated products designed to deliver nicotine, flavor, and other chemicals by turning the substance into a vapor that is inhaled by the user which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.
- b. Nicotine Replacement Therapy - a method of weaning a smoker away from both the nicotine and the oral fixation that accompanies a smoking habit by giving the smoker smaller and smaller doses of nicotine. The use of Federal Drug Administration (FDA) approved nicotine replacement therapy designed to deliver nicotine is permitted. This term shall include, but is not limited to, the following products: nicotine patch, nicotine gum, nicotine nasal spray, inhaler, or lozenges.

	<p>c. Smoking - inhaling, exhaling, burning, or carrying a lighted or heated cigar, cigarette, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. Smoking also includes the use of an e-cigarette that creates a vapor, in any manner or in any form, or the use of any oral smoking device used for the purpose of circumventing the prohibition of smoking.</p> <p>d. Tobacco – or tobacco-like products include possession of a lighted or unlit cigarette, cigar, pipe, or other lighted or unlit smoking product or material; chewing tobacco and all forms of smokeless tobacco; and any oil or liquid/solid substance that produces the same physical manifestations that tobacco/smokeless tobacco/nicotine produces; as well as look-alike items/devices including, but not limited to, electronic cigarettes.</p> <p>e. Smokeless Tobacco Products - shall include, but not be limited to, any chewing tobacco, snuff, or similar smokeless tobacco product or other nicotine product that is used, chewed, sniffed, or ingested.</p> <p>f. Tobacco Cessation Programs – an intervention program provided through a public health agency or private provider to assist administrative employees in abstaining from the use of tobacco products. These programs include an initial assessment and follow-up treatment consisting of individual and/or group counseling and are support systems, programs, and services to help people impacted by this Policy to abstain from the use of tobacco and tobacco-like products.</p> <p>g. Tobacco-Free Environment- one hundred percent (100%) absence of tobacco and tobacco-like products and no use, advertising, or promotion (24/7) on school grounds, at school-sponsored events, or in vehicles owned, leased, chartered, or controlled by the District.</p> <p>h. Building Officials and Code Administrators (BOCA) International – a service organization which issues a series of model regulatory construction codes for the protection of public health, safety, and welfare. The codes are published in sections, such as the National Building Code, National Plumbing Code, National Fire Prevention Code, etc. - For purposes of this Policy, the BOCA Code references the posted "No Smoking" signs which make it unlawful to smoke, throw, or deposit any lighted or smoldering substance.</p>
Act 128	
22 PA Sec. 403.1	<p>Section 3. <u>Policy</u></p> <p>a. In order to protect students and employees from an environment that may be harmful to them, the Board prohibits use of tobacco and tobacco-like products by administrative employees in a school building and on any property, buses, vans, and vehicles that are owned, leased, or controlled by the District.</p>
18 Pa. C.S.A.	<p>b. The Board prohibits use of tobacco and tobacco-like products by administrative employees at school-sponsored activities that are held off</p>

<p>Sec. 6306.1 35 P.S. Sec. 1223.5</p>	<p>school property.</p> <p>c. Administrative employees, school volunteers, contractors, or other persons performing services on behalf of the District are also prohibited from using tobacco and tobacco-like products at any time while on duty and in the presence of students either on or off school grounds.</p>
<p>24 P.S. Sec. 407</p>	<p>Section 4. <u>Guidelines</u></p> <p>a. Violations of this Policy by administrative employees will result in progressive discipline unless a particular act is adjudicated to be willful or contemptuous of this Policy in which harsher discipline may be imposed than called for in progressive discipline.</p> <p>b. Administrative employees found to be in violation of this Policy will also be apprised of tobacco cessation resources. A list of these resources is available to the employee through the District's Human Resources Office.</p>
<p>Pol. 222</p>	<p>c. Renters, paying or non-paying, and their guests are also to adhere to the Policy. The agent or accountable representative of the renting organization and the renting organization are held responsible for ensuring compliance with the School District's Policy. Violations will be taken into consideration in determining whether future requests for rentals by the organization should be granted.</p> <p>d. The Superintendent or designee may report incidents involving the sale of tobacco or tobacco-like products to minors by administrative employees on school property, at any school-sponsored activity, or on transportation to or from a school or 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 Board policies.</p> <p>e. In accordance with state law, the Superintendent shall annually, by July 31, report incidents of possession, use, or sale of tobacco or tobacco-like products on school property to the Office for Safe Schools on the required form.</p>
<p>Pol. 222</p>	<p>Section 5. <u>General Information</u></p> <p>a. The Board policy, Use of Tobacco and Tobacco-like Products for Students, is coordinated with and a supplement to this Policy. It is intended that these policies be in effect simultaneously.</p> <p>b. Nothing in this Policy shall preclude the District Administration from pursuing any other actions under state or municipal laws, ordinances, fire codes, BOCA Code, or other applicable laws or regulations.</p>

	<p><u>References:</u> Act 128 of 2000, BOCA-National Fire Prevention code/1987, Sec F-312.0312.5 No Child Left Behind Act- 20 U.S.C. Sec. 7114 Pro-Children Act of 2001-20U.S.C. Sec. 7181 etseq. Sale of Tobacco- 18 Pa. C.S.A. Sec 6305 School Code- 24 P.S. Sec. 407,1302.1-A, 1303-A School Tobacco Control- 35 P.S. Sec. 1223.5 State Board of Education Regulations- 22 PA Code Sec. 403.1 Tobacco Use Prohibition- 18 Pa. C.S.A. Sec. 6306.1 Board Policy 222</p> <p><u>Replaces Policy:</u> 2800</p>
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