

<p>2. Delegation of Responsibility</p> <p>Pol. 317, 417, 517</p>	<p>It is the responsibility of all persons to implement this policy. With sensitivity and diplomacy, any person who observes another in violation of this policy is to inform that person of the policy:</p> <ol style="list-style-type: none"> 1. All employees have direct responsibility for implementing this policy with students and visitors. 2. Administrators have direct responsibility for implementing this policy with staff. 3. Staff violations of this policy will result in the following: <ol style="list-style-type: none"> a. Verbal reprimand. b. Letter of reprimand to be placed in personnel file. c. One-day suspension without pay. d. Further violations shall be considered cause for removal, termination, or other discipline, and shall be dealt with according to established policies and procedures.
<p>3. Definitions</p> <p>18 Pa. C.S.A. Sec. 6306.1</p>	<p>Smoking is the use or possession of a lighted cigarette, cigar, pipe or other lighted smoking equipment, and shall also include the use of any smokeless tobacco product.</p> <p>Smokeless tobacco product shall include, but not be limited to, any chewing tobacco that is used, chewed, sniffed or ingested.</p> <p>School building utilized for children is any indoor facility used by the Moon Area School District for provisions of routine or regular kindergarten, elementary or secondary education, or library services to children.</p> <p>Tobacco is a lighted or unlighted cigarette, cigar, pipe or other lighted smoking product and smokeless tobacco in any form.</p> <p>Children means individuals who have not attained the age of eighteen (18).</p> <p>Student or pupil is a person between the ages of six (6) and twenty-one (21) years who is enrolled in school.</p>

<p>4. Authority 35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7183</p> <p>35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7183</p>	<p>All persons, including employees, officers, volunteers, visitors and students, are prohibited from smoking or the use of smokeless tobacco products in any school building utilized for children within the school district, and on any school bus or other vehicle used in transporting children operated by or on behalf of the Moon Area School District. This prohibition shall be enforced at all times, except with nonstudents or nonstaff in a nonschool vehicle and shall include any activity or function occurring within the facility, whether school-sponsored or otherwise.</p> <p>Smoking or the use of smokeless tobacco products is prohibited on exterior school grounds of any school building utilized for children.</p> <p><u>Student Possession Or Use Prohibited</u></p> <p>Any student is prohibited from possessing or using tobacco:</p> <ol style="list-style-type: none"> 1. In any Moon Area School District building. 2. On any grounds of the Moon Area School District. 3. On any school property owned by, leased by or under the control of Moon Area School District. 4. On a school bus or any other conveyance provided by the school district for transportation to or from Moon Area School District, including transportation to or from a school-sponsored activity, function or event. This includes private vehicles utilized by school staff or chaperones for so transporting students. 5. At any school function, activity or event held off school district grounds or property. <p>A student is in possession of tobacco for purposes of this policy if tobacco is found on the person of the student; in the student's locker; in a student's purse, backpack, gym bag or other like object; in a student's coat or other clothing; or otherwise under the student's control.</p>
<p>5. Guidelines</p> <p>18 Pa. C.S.A. Sec. 6306.1 Pol. 218, 218.8</p>	<p><u>Penalties</u></p> <p>Any person who violates this policy may be subject to the following penalties, which are in addition to any civil or criminal prosecution and penalty imposed by law:</p> <ol style="list-style-type: none"> 1. <u>Students</u> - Students will be subject to penalties prescribed in the Code of Student Conduct, up to and including possible expulsion. Furthermore, any student who has committed three (3) infractions for tobacco use or possession during the

<p>Pol. 323, 423, 523</p>	<p>student's enrollment at Moon Area School District may be expelled. Any student who violates this policy may be subjected to prosecution before a district justice (magistrate) and be fined not more than \$50.00 plus court costs, pursuant to Act 145 of 1996.</p> <ol style="list-style-type: none">2. <u>Employees</u> - Employees, officers and agents of the district will be subject to disciplinary action up to and including possible dismissal.3. <u>Volunteers</u> - Volunteers will be subject to temporary or permanent termination of participation in the volunteer program.4. <u>Visitors</u> - Visitors who fail or otherwise refuse to adhere to this policy will be asked to leave the premises and may be subject to temporary or permanent exclusion from school grounds. <p>Smoking cessation programs will be offered, as needed, at the student's expense. Building administrators may offer smoking cessation class in lieu of a fine for a first time offender.</p> <p>Smoking cessation programs will be offered to staff at staff expense on a request basis.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 510, 1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 403.1</p> <p>Tobacco Use Prohibition – 18 Pa. C.S.A. Sec. 6306.1</p> <p>School Tobacco Control – 35 P.S. Sec. 1223.5</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 7114</p> <p>Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.</p> <p>Board Policy – 218, 218.8, 317, 323, 417, 423, 517, 523</p>
---------------------------	--