

# WALLINGFORD- SWARTHMORE SCHOOL DISTRICT

SECTION: PUPILS

TITLE: PROHIBITION OF TOBACCO  
USE

ADOPTED: November 28, 2005

REVISED: June 25, 2018

222. PROHIBITION OF TOBACCO USE	
1. Purpose	The School District recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers, as well as jeopardize the safety of the schools.
2. Definition 18 Pa. C.S.A. Sec. 6306.1	<p>For purposes of this policy, tobacco shall be defined as a lighted or unlighted cigarette, smokeless tobacco, cigar and pipe; other lighted smoking product; and tobacco in any form.</p> <p>This policy does not include “vaping” from any device or in any form. Vaporizers, e-cigarettes, and other similar electronic substance-delivery systems are instead regulated by Policy #227.1.</p>
3. Authority 20 U.S.C. Sec. 7181 et seq Title 22 Sec. 12.3 35 P.S. 1223.5	<p>The School District prohibits students from possessing, selling <u>or</u> using tobacco at any time in a school building, school facility, on a school bus or school vehicle, and on property owned by, leased by, or under the control of the School District, while coming to or going from school (portal-to-portal), on School District property, on vehicles used for school transportation, and at any school-sponsored or school-affiliated event.</p> <p>The School District encourages students to break their dependence on tobacco through voluntary participation in a recognized educational program designed to assist individuals to stop smoking.</p>
4. Delegation of Responsibility	The Superintendent or designee shall notify students, parents/guardians and staff about this policy by publishing it annually in student handbooks, school newsletters and/or the School District web site.
5. Guidelines  SC 1303-A	<p><u>Mandated Reporting</u></p> <p>Incidents of possession, use, and sale of tobacco in violation of this policy shall be reported by the Superintendent or designee to the Office of Safe Schools on the required form at least once each year.</p>

<p>Pol. 233</p> <p>Pol. 233</p> <p>18 Pa. C.S.A. Sec. 6306.1 Pol. 233</p>	<p><u>Grading</u></p> <p><b>First Offense</b> - A student who violates this tobacco policy shall be required to complete a Smoke-Enders or similar program designated by the principal or designee. Should the student fail to complete the assigned program within the timeframe established by the program, student shall face additional disciplinary consequences. In addition to the above requirements, the student shall be suspended for one (1) day.</p> <p><b>Second Offense</b> - A student who violates the Prohibition of Tobacco Use Policy for a second time shall complete a Smoke-Enders or similar program. Should the student fail to complete the assigned program within the timeframe established by the program, student shall face additional disciplinary consequences. In addition to the above requirements, the student shall be suspended for two (2) days.</p> <p><b>Third Offense</b> - A student who violates the Prohibition of Tobacco Use Policy for the third time shall receive a three-day suspension and shall be referred for prosecution in the Magisterial District Court. Upon conviction, the student shall be sentenced to pay a fine of not more than \$50 for the benefit of the School District in which such offending pupil resides and to pay court costs. When a pupil is charged with violating subsection (a), the court may admit the offender to an adjudication alternative as authorized under 42 Pa. C.S. § 1520 (relating to adjudication alternative program) in lieu of imposing the fine.</p> <p><b>Fourth or Greater Offense</b> - In addition to the above penalties, the building principal, in consultation with the Superintendent, shall determine what they believe is an appropriate discipline.</p> <p><b>Extraordinary Circumstances</b> - If the building principal determines that such circumstances exist, principal may refer the student after the first or second offense to the Magisterial District Court, in addition to the other provisions of this policy.</p> <p><u>Education</u></p> <p>The K-12 health education curriculum shall contain lessons and units of study which emphasize the inherent health hazards related to smoking and the use of tobacco. Moreover, the Superintendent or designee is charged with preparing procedures to implement this policy which shall include educational measures designed to prevent smoking and tobacco use, measures to assist smokers and users of tobacco in breaking their dependency in this area, and the adoption of appropriate measures for those who violate this policy.</p>
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PA Code  
Title 22  
Sec. 12.3, Sec. 403.1

18 Pa. C.S.A.  
Sec. 6306.1

School Code  
510, 1303-A

35 P.S. 1223.5

20 U.S.C.  
Sec. 7181 et seq

20 U.S.C.  
Sec. 7114