**EPHRATA AREA SCHOOL DISTRICT**

222. TOBACCO

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Purpose</td>
</tr>
<tr>
<td>2</td>
<td>Definition</td>
</tr>
<tr>
<td>3</td>
<td>Authority</td>
</tr>
<tr>
<td>4</td>
<td>Delegation of Responsibility</td>
</tr>
</tbody>
</table>

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.

The Superintendent or designee shall develop administrative regulations to implement this policy.
The Superintendent or designee may report incidents of possession, use or sale of tobacco by students on school property, at any school-sponsored activity or on a conveyance providing 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.

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of tobacco immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco by students to the Office for Safe Schools on the required form.

A student convicted of possessing or using tobacco in violation of this policy may be fined up to fifty dollars ($50) plus court costs or admitted to alternative adjudication in lieu of imposition of a fine.
References:

School Code – 24 P.S. Sec. 510, 1302.1-A, 1303-A

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.22, 10.23, 10.25, 403.1

Sale of Tobacco – 18 Pa. C.S.A. Sec. 6305

Tobacco Use Prohibition – 18 Pa. C.S.A. Sec. 6306.1

School Tobacco Control – 35 P.S. Sec. 1223.5


No Child Left Behind Act – 20 U.S.C. Sec. 7114


Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300

Board Policy – 000, 103.1, 113.1, 113.2, 805.1