

SECTION: COMMUNITY

TITLE: PUBLIC ATTENDANCE AT SCHOOL EVENTS

ADOPTED: June 22, 2020

REVISED:

# SOUTHERN LEHIGH SCHOOL DISTRICT

<p>1. Purpose</p> <p>2. Definition 18 Pa. C.S.A. 6305 18 Pa. C.S.A. 6306.1 20 U.S.C. 7118 Pol. 351</p>	<p style="text-align: center;">904. PUBLIC ATTENDANCE AT SCHOOL EVENTS</p> <p>The Board welcomes the public at activities and events sponsored by the school district, but the Board also acknowledges its duty to maintain order and preserve school facilities during such events. This policy establishes conditions, restrictions and procedures to regulate public attendance and conduct at school and school-sponsored activities.</p> <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:[1][2]</p> <ol style="list-style-type: none"> <li>1. 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>2. 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>3. Any product containing, made or derived from either:             <ol style="list-style-type: none"> <li>a. Tobacco, whether in its natural or synthetic form; or</li> <li>b. 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> </ol> </li> <li>4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.</li> </ol> <p>The term tobacco product does not include the following:[1][2]</p> <ol style="list-style-type: none"> <li>1. 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,</li> </ol>
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<p>3. Authority  18 Pa. C.S.A. 6305  18 Pa. C.S.A. 6306.1  24 P.S. 511  24 P.S. 775  20 U.S.C. 7973</p> <p>4. Guidelines  24 P.S. 510.2</p> <p>18 Pa. C.S.A. 6305  18 Pa. C.S.A. 6306.1  24 P.S. 1303-A  Pol. 805.1  22 PA Code 10.2  22 PA Code 10.22  24 P.S. 1302.1-A  28 CFR 35.136  43 P.S. 953  Pol. 718</p>	<p>as long as the product is not inhaled.</p> <p>2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. Federal law requires the district to maintain a drug-free environment, at which marijuana of any kind is prohibited.[3][4]</p> <p>The Board has the authority to prohibit at a school event 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 school premises.[5][6]</p> <p><b>Tobacco and Vaping Products</b></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 a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; or on property owned, leased or controlled by the school district.[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 school or school-sponsored activities.</p> <p>The Board deems it to be a violation of this policy for an individual in attendance at school or a school-sponsored activity to furnish a tobacco or vaping product, including the product marketed as Juul or any other e-cigarette, to a minor.[1]</p> <p>The Superintendent shall ensure that this policy is posted on the district’s public accessible website.[8]</p> <p><b>Reports</b></p> <p>Office for Safe Schools Report –</p> <p>The Superintendent 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 school property to the Office for Safe Schools on the required form.[9][10]</p> <p>Law Enforcement Incident Report –</p> <p>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 may report to the school police, School Resource Officer</p>
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904. PUBLIC ATTENDANCE AT SCHOOL EVENTS

(SRO) or to the local police department that has jurisdiction over the school's property, the use or sale of tobacco or vaping products, including Juuls and other e-cigarettes, by any person in a school building; on a school bus or other vehicles that are owned, leased or controlled by the school district; or on any property owned leased or controlled by the school district.[1][2][9][10][11][12][13]

Service Animals

Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public in accordance with Board policy and state and federal laws and regulations.[14][15][16]

Legal References

1. 18 Pa. C.S.A. 6305
2. 18 Pa. C.S.A. 6306.1
3. 20 U.S.C. 7118
4. Pol. 351
5. 24 P.S. 511
6. 24 P.S. 775
7. 20 U.S.C. 7973
8. 24 P.S. 510.2
9. 24 P.S. 1303-A
10. Pol. 805.1
11. 22 PA Code 10.2
12. 22 PA Code 10.22
13. 24 P.S. 1302.1-A
14. 28 CFR 35.136
15. 43 P.S. 953
16. Pol. 718
- 20 U.S.C. 7971 et