

Section: Pupils
Title: Tobacco and Vaping Products
Adopted:

222. TOBACCO AND VAPING PRODUCTS**Purpose**

The Joint Operating Committee recognizes that tobacco and vaping products, **including** electronic cigarettes, present a health and safety hazard that can have serious consequences for users, nonusers and the school environment. The purpose of this policy is to prohibit student possession, use, purchase and sale of **tobacco and vaping products**.

Definition

For purposes of this policy, tobacco product encompasses not only tobacco but also vaping products **including electronic cigarettes** (e-cigarettes). **Tobacco products**, for purposes of this policy and in accordance with state law, shall be defined to include the following: [1] [2]

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.
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.
3. Any product containing, made or derived from either:
 - a. Tobacco, whether in its natural or synthetic form; or
 - 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.
4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term **tobacco product** does not include the following: [1] [2]

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, as long as the product is not inhaled. [3]
2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. [4]

Authority

The Joint Operating Committee prohibits possession, use, purchase or sale of **tobacco products, regardless** of whether such products contain tobacco or nicotine, by or to students at any time in a WACTC building; on school buses or other vehicles that are owned, leased or controlled by the WACTC; on property owned, leased or controlled by the WACTC; or at WACTC-sponsored activities that are held off WACTC property. [1] [2] [5]

The Joint Operating Committee prohibits student possession or use of products marketed and sold as tobacco cessation products or for other therapeutic purposes, except as authorized in the Joint Operating Committee's Medication policy. [3]

The Joint Operating Committee prohibits student possession of any form of medical marijuana at any time in a WACTC building; on school buses or other vehicles that are owned, leased or controlled by the WACTC; on property owned, leased or controlled by the WACTC; or at WACTC-sponsored activities that are held off WACTC property. [4]

The Joint Operating Committee authorizes the confiscation and disposal of **tobacco** products prohibited by this policy.

In the case of a student with a disability, including a student for whom an evaluation is pending, the WACTC shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Joint Operating Committee policies. [6] [7] [8] [9] [10] [11]

Delegation of Responsibility

The Executive Director or designee shall develop administrative regulations to implement this policy.

The Executive Director or designee shall notify students, parents/guardians and staff about the Joint Operating Committee's tobacco and vaping products policy by publishing information in student handbooks, parental newsletters, posters and by other efficient methods, such as posted notices, signs and on the WACTC website. [2]

Reporting

Parental Report –

The Executive Director or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use, purchase or sale of a **tobacco product**, immediately, as soon as practicable. The Executive Director or designee shall inform the parent/guardian whether the **law enforcement agency** that has jurisdiction over the WACTC property has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian. [11] [12] [13]

Annual School Safety and Security Incidents Report -

The Executive Director shall annually, by July 31, report all incidents of possession, use or sale of tobacco products by students to the PA Department of Education on the required form. [11] [14] [15]

Law Enforcement Incident Report –

The Executive Director or designee may report incidents of possession, use or sale of **tobacco products** by students on WACTC property, at any WACTC-sponsored activity or on a conveyance providing transportation to or from a WACTC-sponsored activity to the **law enforcement agency** that has jurisdiction over WACTC's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Joint Operating Committee policies. [1] [2] [11] [12] [14] [15] [16]

Guidelines

A student who violates this policy shall be subject to prosecution initiated by the WACTC and, if convicted, shall be required to pay a fine for the benefit of the WACTC, plus court costs. In lieu of the imposition of a fine, the court may admit the student to an adjudication alternative. [2]

School counselors shall provide students who have violated this policy with information regarding available tobacco cessation programs.

Tampering with devices installed to detect use of **tobacco products** shall be deemed a violation of this policy and subject to disciplinary action. [17]

Legal References

1. 18 Pa. C.S.A. 6305

2. 18 Pa. C.S.A. 6306.1

3. Pol. 210

4. Pol. 227

5. 20 U.S.C. 7973

6. 22 PA Code 10.23

7. 20 U.S.C. 1400 et seq

8. Pol. 103.1

9. Pol. 113.1

10. Pol. 113.2

11. Pol. 805.1

12. 22 PA Code 10.2

13. 22 PA Code 10.25

14. 24 P.S. 1306.2-B

15. 24 P.S. 1319-B

16. 22 PA Code 10.22

17. Pol. 218

24 P.S. 1850.1

20 U.S.C. 7114

20 U.S.C. 7118

20 U.S.C. 7971 et seq

34 CFR Part 300

Pennsylvania Department of Health Medical Marijuana Guidance for Schools and School Districts

EOE

Section: Administrative Employees
Title: Controlled Substance Abuse
Adopted:

351. CONTROLLED SUBSTANCE ABUSE

Purpose

The Joint Operating Committee recognizes that the misuse of **controlled substances** by administrative, professional and support employees is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by **controlled substance abuse** by employees, especially as it relates to an employee's safety, efficiency and productivity.

The primary purpose and justification for any WACTC action will be for the protection of the health, safety and welfare of students, staff and WACTC property.

Definitions

Controlled Substances – shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act. [1]

Conviction – for purposes of this policy, is defined as a finding of guilt, including a plea of nolo contendere, an imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes. [2]

Criminal Drug Statute - a federal or state criminal statute involving the manufacture, distribution, dispensation, use or possession of a controlled substance. [2]

Drug-free Workplace - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance. [2]

Authority

The Joint Operating Committee requires that each administrative, professional and support employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the WACTC of any criminal drug statute conviction for a violation occurring in the workplace immediately, but no later than seventy-two (72) hours, after such conviction. [3] [4]

Any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver **or convicted of an offense defined as a felony under the Controlled Substance, Drug, Device and Cosmetic Act, shall be terminated from employment with the WACTC, in accordance with applicable law, regulations and Joint Operating Committee policy.** [1] [3] [5] [6]

Delegation of Responsibility

A statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Executive Director and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution. [4] [7]

Within ten (10) days after receiving notice of the conviction of an employee, the WACTC shall notify any federal agency or department that is the grantor of funds to the WACTC. [4]

The WACTC shall take appropriate personnel action within thirty (30) days of receiving notice against any convicted employee, up to and including termination, or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency. [4] [6] [7]

In establishing a drug-free **workplace** awareness program, the Executive Director shall inform employees about: [4]

1. Dangers of drug abuse in the workplace.
2. Joint Operating Committee's policy of maintaining a drug-free workplace.
3. Availability of drug counseling, drug rehabilitation and employee assistance programs.
4. Penalties that may be imposed for drug abuse violations occurring in the workplace.

The WACTC shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy. [4]

Guidelines

The Executive Director or designee shall immediately report incidents involving the **prohibited** possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by any employee while on WACTC property, at any WACTC-sponsored activity or on a conveyance providing transportation to or from a WACTC or WACTC-sponsored activity to the **law enforcement agency** that has jurisdiction over the center's (school's) property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with **law enforcement** and Joint Operating Committee policies. [8] [9] [10] [11] [12] [13]

In accordance with state law, the Executive Director shall annually, by July 31, report all incidents of **prohibited** possession, use or sale of controlled substances or drug paraphernalia to the **PA Department of Education** on the required form. [8] [9] [13]

Legal References

1. 35 P.S. 780-101 et seq

2. 41 U.S.C. 8101

3. 24 P.S. 111

4. 41 U.S.C. 8103

5. 24 P.S. 527

6. Pol. 317

7. 41 U.S.C. 8104

8. 24 P.S. 1306.2-B

9. 24 P.S. 1319-B

10. 22 PA Code 10.2

11. 22 PA Code 10.21

12. 35 P.S. 780-102

13. Pol. 805.1

41 U.S.C. 8101 et seq

Pol. 810.1

Pol. 810.3

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EOE

Section: Operations
Title: Tobacco and Vaping Products
Adopted:

823. TOBACCO AND VAPING PRODUCTS**PURPOSE**

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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.
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.
3. Any product containing, made or derived from either:
 - a. Tobacco, whether in its natural or synthetic form; or
 - 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.
4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term **tobacco product** does not include the following: [1] [2]

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2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. [4]

AUTHORITY

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DELEGATION OF RESPONSIBILITY

The Executive Director or designee shall develop administrative regulations to implement this policy.

The Executive Director or designee shall notify students, parents/guardians and staff about the Joint Operating Committee's tobacco and vaping products policy by publishing information in student handbooks, parental newsletters, posters and by other efficient methods, such as posted notices, signs and on the WACTC website. [2]

REPORTING

Parental Report –

The Executive Director or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use, purchase or sale of a **tobacco product**, immediately, as soon as practicable. The Executive Director or designee shall inform the parent/guardian whether the **law enforcement agency** that has jurisdiction over the WACTC property has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian. [11] [12] [13]

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GUIDELINES

A student who violates this policy shall be subject to prosecution initiated by the WACTC and, if convicted, shall be required to pay a fine for the benefit of the WACTC, plus court costs. In lieu of the imposition of a fine, the court may admit the student to an adjudication alternative. [2]

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7. 20 U.S.C. 1400 et seq

8. Pol. 103.1

9. Pol. 113.1

10. Pol. 113.2

11. Pol. 805.1

12. 22 PA Code 10.2

13. 22 PA Code 10.25

14. 24 P.S. 1306.2-B

15. 24 P.S. 1319-B

16. 22 PA Code 10.22

17. Pol. 218

24 P.S. 1850.1

20 U.S.C. 7114

20 U.S.C. 7118

20 U.S.C. 7971 et seq

34 CFR Part 300

Pennsylvania Department of Health Medical Marijuana Guidance for Schools and School Districts

EOE

Section: Pupils
Title: Use of Generative Artificial Intelligence in Education
Adopted:

815.1. USE OF GENERATIVE ARTIFICIAL INTELLIGENCE IN EDUCATION

PURPOSE

The WACTC recognizes the potential that Generative Artificial Intelligence (Generative AI) offers in enhancing educational opportunities, streamlining operations and preparing students for a future that demands adaptability, critical thinking and digital literacy. When incorporated and used in a responsible and ethical manner, Generative AI can support a dynamic working and learning experience.

This policy addresses guidelines for the proper management and responsible use of Generative AI in the WACTC's educational environment.

AUTHORITY

The Joint Operating Committee directs that the use of Generative AI in the educational environment shall be limited to approved educational purposes and shall comply with applicable state and federal laws, regulations, Joint Operating Committee policies, administrative regulations and the WACTC's rules including, but not limited to, the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), the Children's Internet Protection Act (CIPA), the Children's Online Privacy Protection Act (COPPA), as well as Joint Operating Committee policies related to acceptable use of computers and network resources, student and staff conduct, copyright protections, student records, personnel records, bullying and cyberbullying, nondiscrimination and harassment, data security and staff and student expression. [1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24] [25] [26] [27]

The availability of access to Generative AI tools and resources by students and staff does not imply endorsement by the WACTC of the Generative AI tool or resource, nor does the WACTC guarantee the accuracy of the information received from Generative AI tools or resources. The WACTC shall not be responsible for any information that may be lost, damaged or unavailable when using a Generative AI tool or resource.

WACTC shall not be responsible for the dissemination, replication or alteration of information or data input by any student or staff into any Generative AI tool or resource. Nothing in this policy is intended to limit the WACTC's obligations under applicable law or regulations.

WACTC shall not be responsible for any unauthorized charges or fees resulting from access or use of Generative AI tools or resources.

DEFINITIONS

AI literacy – the ability to understand, use and interact with AI systems effectively, efficiently and responsibly.

Artificial Intelligence (AI) – technology designed to mimic human intelligence, such as analyzing data, recognizing patterns and making decisions.

Generative Artificial Intelligence (Generative AI) – an advanced subset of AI that is capable of generating new content from learned data and pattern recognition across various mediums such as text, code, images, audio and video data. Generative AI is the focus of this policy.

Open-source AI – AI tools and resources that are built on publicly accessible platforms and use and share data among all users who access the platform, both within and outside of the WACTC.

DELEGATION OF RESPONSIBILITY

The WACTC shall make every effort to ensure that Generative AI tools and resources are used responsibly by students and staff. The effective integration of Generative AI into education requires a collaborative effort between administration, teachers, staff, students and families.

WACTC shall inform staff, students, parents/guardians and other users about this policy by posting on the WACTC website and by other efficient methods.

The WACTC shall obtain prior informed consent from parents/guardians before allowing a student to use Generative AI tools and resources in school. [3]

Generative AI tools and resources used in the WACTC and its programs shall be evaluated and authorized on an ongoing basis for age-appropriateness, bias, privacy protections, accessibility standards and data security by the Executive Director, Building Administrator, Solicitor, and Network Administrator. [8] [9] [10] [27] [28]

The Joint Operating Committee directs that only WACTC-authorized Generative AI tools and resources may be used on WACTC computers and in WACTC programs. Staff shall consult the WACTC's list of authorized Generative AI tools and resources prior to implementation in the educational environment. Unauthorized Generative AI tools and resources may not adhere to required data privacy, monitoring and security standards. [3] [25] [27]

The Executive Director or designee shall be responsible for developing procedures to address student safety measures and to determine whether Generative AI tools and resources are being used for purposes prohibited by law, Joint Operating Committee policy or for accessing sexually explicit materials. [2] [25] [29] [30] [31] [32] [33]

The WACTC solicitor, in coordination with the Network Administrator, shall evaluate new and existing vendor contracts, collective bargaining agreements and related agreements for impacts related to WACTC use of Generative AI. [34] [35]

GUIDELINES

AI Literacy

Staff –

WACTC shall provide staff with professional development opportunities addressing the effective and safe integration of Generative AI to enhance teaching and learning. Professional development opportunities may include, but not be limited to:

1. Ethical use of Generative AI.
2. The capabilities and limitations of Generative AI.
3. Critical analysis of content produced by Generative AI.
4. How to monitor and evaluate student inputs into Generative AI systems.
5. The parameters established by the WACTC for integrating Generative AI tools into classroom instructional design.

Beyond formal professional development opportunities, the WACTC encourages staff to explore Generative AI to discover lesson plan ideas, create templates or assessments and to generate ideas for the personalization of student learning. Generative AI tools and resources shall be used in accordance with applicable laws, regulations and this Joint Operating Committee policy.

Students –

The WACTC shall provide training for students, which may include, but not be limited to:

1. Establishment of expectations regarding the ethical use of Generative AI.
2. The capabilities and limitations of Generative AI.
3. Critical analysis of content produced by Generative AI.
4. How to disclose use and cite Generative AI resources.
5. The importance of not disclosing personally identifiable information when using an open-source Generative AI tool or resource.

ETHICAL CONSIDERATIONS

The WACTC shall prioritize the educational value in the use of Generative AI tools and resources and will take measures to mitigate associated risks. The WACTC shall only authorize Generative AI systems and platforms appropriately equipped for preventing breach of personally identifiable information and addressing the WACTC's prohibitions against discrimination, harassment, bullying, bias and access to sexually explicit materials, or those which are harmful to minors or prohibited by Joint Operating Committee policy. [8] [9] [10] [20] [25]

The WACTC's technology protection measures shall be enforced during use of Generative AI on WACTC computers and network resources. [25]

WACTC shall provide additional training, when needed, and address accessibility needs to provide equitable access to Generative AI tools and resources for students and staff including, but not limited to, individuals with disabilities and English Learner students. [8] [9] [10] [11] [36]

WACTC prohibits the use of Generative AI in making decisions regarding employee recruitment, hiring, retention, promotion, transfer, evaluation, demotion or dismissal. [10]

WACTC prohibits the use of Generative AI in making final determinations on student assessments and evaluations. [8] [9] [11] [13] [14] [37]

Academic Integrity -

The use of Generative AI by students to complete assignments or assessments shall only be allowed to the extent stated and outlined by the teacher for the individual assignment or course. Students shall be notified in advance of the parameters for use of Generative AI in assignments and assessments.

Teachers shall outline use of Generative AI tools and resources in their required lesson plans. [38]

Students and staff shall receive training and be expected to appropriately cite original sources for quotations, facts, information, statistics, dates or the paraphrased statements of others. A Generative AI resource shall be cited when the system's generated content is quoted, paraphrased or otherwise used in the student's work. Lack of citation to AI generated work improperly implies that the work is entirely that of the student. [16]

The Joint Operating Committee permits the use of AI detection tools as an aid to identify potential academic integrity issues, but prohibits reliance on results from AI detection tools as the sole determination of academic integrity.

Copyright -

Individuals using Generative AI tools and resources must comply with federal law and Joint Operating Committee policy regarding the duplication or use of copyrighted materials. [4] [24]

AI-Generated Content Verification -

Individuals using Generative AI tools and resources have a responsibility to apply proper oversight and evaluation of generated information. Generative AI tools shall not be the sole determining factor used to make decisions related to student learning, assessment, academic integrity or conduct. Staff and students should critically evaluate content produced by Generative AI for potential biases or inaccuracies and understand the importance of cross-referencing with trusted resources.

EVALUATION AND MONITORING OF GENERATIVE AI

Administrators, network supervisors and teaching staff shall establish processes for ongoing evaluation and monitoring of Generative AI tools and resources used within the WACTC and on WACTC computers and network resources, including periodic assessments of the impact on student learning.

Issues identified during the evaluation and monitoring process shall be reported to the Executive Director, Building Administrator, and Network Administrator.

CONSEQUENCES FOR INAPPROPRIATE USE

Failure to comply with this policy or WACTC rules regarding appropriate use of Generative AI including, but not limited to, acceptable use of computer and network resources, shall result in usage restrictions, loss of access privileges, disciplinary action and/or referral to legal authorities. [12] [16] [21] [25] [39]

Students and staff must immediately report any violations or suspicious activity to the building administrator or designee.

Users of Generative AI shall be responsible for damages to the equipment, systems, platforms and software resulting from deliberate, malicious or willful acts. [25] [40]

Illegal use of Generative AI, intentional modification without permission or damage to files or data belonging to others, copyright violations, and theft of services shall be reported to the appropriate legal authorities for possible prosecution.

This policy shall also apply to student conduct that occurs off WACTC property or during non-school hours to the same extent as provided in Joint Operating Committee policy on student discipline. [12] [16] [25] [39]

Legal References

1. 24 P.S. 4601 et seq
2. 47 U.S.C. 254
3. 15 U.S.C. 6501 et seq
4. 17 U.S.C. 101 et seq
5. 20 U.S.C. 1232g
6. 20 U.S.C. 1400 et seq
7. 42 U.S.C. 12101 et seq
 8. Pol. 103
 9. Pol. 103.1
 10. Pol. 104
 11. Pol. 113
 12. Pol. 113.1
 13. Pol. 113.3
 14. Pol. 114
 15. Pol. 216
 16. Pol. 218
 17. Pol. 220
 18. Pol. 237
 19. Pol. 247
 20. Pol. 249
 21. Pol. 317
 22. Pol. 320

23. Pol. 324
 24. Pol. 814
 25. Pol. 815
 26. Pol. 830
 27. Pol. 830.1
 28. Pol. 105
 29. 18 Pa. C.S.A. 5903
30. 18 Pa. C.S.A. 6312
31. 18 U.S.C. 2256
32. 20 U.S.C. 7131
33. 47 CFR 54.520
 34. Pol. 308
 35. Pol. 818
 36. Pol. 138
 37. Pol. 127
 38. Pol. 111
 39. Pol. 233
40. 24 P.S. 4604
18 Pa. C.S.A. 2709
29 U.S.C. 794

28 CFR Part 35
28 CFR Part 36
34 CFR Part 99
34 CFR Part 104
34 CFR Part 300
 Pol. 304
 Pol. 824