

TOBACCO USE AND POSSESSION ADMINISTRATIVE PROCEDURE

The purpose of the following administrative procedure is to effectuate the mandates imposed by the various federal and state laws in addition to the Board's "Tobacco Use and Possession" policy. It also applies to electronic cigarettes and other devices designed to deliver nicotine through inhalation or "vaping," or used to simulate smoking.

I. Prohibited Conduct

A. Students

The use, possession, sale, dispensing or distribution of tobacco products by all students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and buses, and at all other times.

B. Employees and All Other Persons

The use of tobacco products by employees and all other persons is prohibited in school buildings, facilities and on school buses during school-sponsored events and at all other times on school grounds.

II. Enforcement

In order to enforce the tobacco products policy, the following guidelines shall be utilized by the Principal of a school in which prohibited conduct occurs. The Principal shall report any violations of this policy/procedure, as promptly as practicable, to the Superintendent.

A. Student Violations

The Superintendent shall develop age-appropriate disciplinary guidelines for students violating this policy/administrative procedure, which shall be attached to this administrative procedure.

B. Student Referral to Law Enforcement Agency

The Superintendent or his/her designee reserves the right to refer students to a law enforcement agency, on a case-by-case basis, as he/she may deem necessary. However, the Superintendent/designee shall refer to a law enforcement agency any student reasonably suspected of selling, dispensing or distributing tobacco products.

C. Other Persons in Violation

All other persons violating this policy, e.g., employees, visitors, shall be immediately directed to cease violative behavior. In addition, all persons suspected of selling, distributing or in any way dispensing tobacco products to students shall be referred to a law enforcement agency. Any employee violating this policy shall be subject to appropriate disciplinary measures.

III. Notices

The Board's policy ADC and corresponding disciplinary actions for infractions of this policy shall be included in employee and student handbooks. Parents/ guardians shall also be sent notification in writing of the Board's tobacco policy and administrative procedures. Notices shall be signed by parents/legal guardians and returned to the school where they shall be kept on file by the school unit.

Legal References: 20 USC § 6081-6084 (Pro-Children Act of 1994)
22 MRSA § 1578-B
Me. PL 470 (An Act to Reduce Tobacco Use By Minors)

First Reading : February 26, 2018

Second Reading: March 15, 2018

Adopted: March 15, 2018