

## **TOBACCO USE AND POSSESSION**

The Board adopts this policy to promote the health and well-being of students, staff, and visitors, and to comply with applicable law.

Smoking – including the use of electronic smoking devices – and the use of tobacco products is prohibited in school buildings and other school unit facilities, on school buses, and on school grounds at all times by all persons.

“Smoking,” under Maine law “includes carrying or having in one’s possession a lighted or heated cigarette, cigar or pipe or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or form [and] includes the use of an electronic smoking device” (22 MRSA § 1541(6)).

“Electronic smoking device” means “a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen” (22 MRSA § 1541 (1-A)).

Students are prohibited from possessing, selling, distributing or dispensing tobacco products or devices, or products used for electronic smoking, in school buildings, facilities and on school grounds and buses at all times.

Employees and all other persons are also strictly prohibited, under law and Board policy, from selling, distributing or in any way dispensing tobacco products or devices or products used for electronic smoking, to students.

Legal Reference: 22 MRSA §§ 1541(1-A), 15421(6), 1578(B), 1580(A)(3)  
Me. PL 470 (An Act to Reduce Tobacco Use By Minors)  
20 USC 6081-6084 (Pro-Children Act of 1994)

Cross Reference: KHB – Advertising in the Schools

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Revised: October 1, 2012; September 12, 2016