

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/ smoking devices by all students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds, buses, vehicles other than buses on school property, and at all other times.

B. Employees and All Other Persons

The use of tobacco products/ smoking devices 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. In addition, employees and all other persons are strictly prohibited, under law and this board policy/ administrative procedures, from selling, dispensing, or distributing tobacco products/ smoking devices to students.

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

1st Violation

1. Notify Parent/Guardian
2. Up to 3 days suspension
3. Referral for counseling
4. Referral to law enforcement

2nd Violation

1. Notify Parent/Guardian
2. Referral law enforcement
3. Referral for counseling
4. 5 days of suspension

3rd Violation and More

1. Notify Parent/Guardian
2. Referral to law enforcement
3. Referral for counseling
4. Minimum of 5 days of suspension

B. Other Persons in Violation

All other persons violating this policy, e.g., employees, visitors, shall be immediately directed to cease the violating 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 as well as available on the district website under Policies. Signage will be posted throughout school campuses.

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)

Adopted: March 1, 1999

Revised: May 5, 2003; October 1, 2012; September 12, 2016; April 1, 2018