

Personnel

Tobacco-Free Environment

I. Purpose

Recognizing that the health and well-being of employees and students are vitally important, the school district strives to provide a tobacco-free environment.

II. General Statement of Policy

- A. The school district will be free from tobacco use.
- B. A violation of this policy occurs when any student, district employee, or person smokes uses tobacco, tobacco-related devices, or electronic cigarettes on district property.
- C. A violation of this policy occurs when any district student possesses any type of tobacco, tobacco-related device, or electronic cigarette on district property.
- D. The district will enforce this policy by taking appropriate action against any student, employee, or person who is found to have violated this policy.
- E. The district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, devices, or electronic cigarettes. The district will not promote or allow promotion of tobacco products or e-cigarettes on school property or at school-sponsored events.

III. Definitions

- A. "District property" includes any district building or on any district premises; in any district-owned vehicle or in any other district-approved vehicle; at district activities; off-district property at any district-sponsored or district-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time an employee is supervising students on behalf of the school district or otherwise engaged in district business.
- B. "Electronic cigarette" means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance, and the use or inhalation of which simulates smoking. The term will include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under another product name or descriptor.

- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.
- D. "Tobacco-related devices" includes but is not limited to items like cigarette papers or pipes for smoking.
- E. "Smoking" means inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation and the use of electronic cigarettes, including the inhaling and exhaling of vapor from any electronic delivery device.

IV. Exception

- A. This policy does not prohibit the lighting of tobacco by an adult who is a member of an Indian tribe as part of a traditional Indian spiritual or cultural ceremony. For purposes of this section, a member of an Indian tribe is defined in Minnesota law, Minn. Stat. § 260.755.
- B. A violation of this policy does not occur when an adult non-student possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for use as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

V. Enforcement

- A. All persons on district property will adhere to this policy.
- B. Students who violate this tobacco-free policy will be subject to school district discipline procedures.
- C. Employees who violate this tobacco-free policy will be subject to district discipline procedures.
- D. Persons who violate this tobacco-free policy may be referred to the building administration.
- E. District administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the state law and is a petty misdemeanor.

F. No persons will be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by state law.

VI. Dissemination of Policy

This policy will be summarized in the student handbook.

Legal Reference:

Minn. Stat. §§ 144.411-144.412 (Clean Indoor Air Act)

Minn. Stat. § 609.685 (Sale of Tobacco to Children)

Cross Reference:

Policy 506 (Student Discipline)

Policy

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INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota