

## **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 applies equally to electronic cigarettes and other devices designed to deliver nicotine through inhalation or "vaping," or used to simulate smoking.

### **I. Prohibited Conduct**

#### **A. Students**

Student use, possession, sale, dispensing or distribution of tobacco products and "vaping" devices is prohibited in school buildings and school facilities, on school buses, and on school grounds during school-sponsored activities and at all other times.

#### **B. Employees and All Other Persons**

Employees and all other persons are prohibited from using tobacco products and "vaping" devices in school buildings and other school facilities, on school buses, during school-sponsored events and at all other times on school grounds, and from selling, distributing or dispensing tobacco products to students.

### **II. Enforcement**

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 has determined that age-appropriate disciplinary guidelines for students violating this policy/administrative procedure take place at the building level. Building administrators will determine the appropriate consequence and/or response to a violation.

#### **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 or vaping devices/products.

C. Other Persons in Violation

All other persons violating this policy, e.g., employees, visitors, shall be immediately directed to cease the behavior. In addition, all persons suspected of selling, distributing or in any way dispensing tobacco products or vaping devices/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 policy and administrative procedures. Handbook signature forms 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 §§ 1542, 1578(B), 1580(A)(3)

Me. PL 470 (An Act to Reduce Tobacco Use by Minors)

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