

Adopted: 3/2/1987 *Saint Paul Public Schools Policy* 414.00
Revised: 8/1/1988; 6/17/2008; 11/13/12; 6/18/2019; 09/23/2025

414.00 TOBACCO-FREE ENVIRONMENT

I. POLICY PURPOSE

Saint Paul Public Schools is committed to providing a learning and working environment free from tobacco and tobacco-related products and devices. This policy also is intended to comply with the law and protect the health of our students, employees and others in School District facilities, on School District grounds, and at School District activities.

II. GENERAL STATEMENT OF POLICY

- A. It shall be considered a violation of this policy for any student, teacher, administrator, other school personnel of St. Paul Public Schools, or any other person to use tobacco, tobacco-related devices, or use or carry an electronic delivery device in a school. This prohibition extends to all individuals on school grounds. This prohibition extends to all facilities and vehicles, whether owned, rented, or leased, by the District. This prohibition includes all District property and all off-campus events sponsored by the District.
- B. It shall be considered a violation of this policy for any person to promote, or for Saint Paul Public Schools to promote or allow promotion of tobacco products, tobacco-related devices, or electronic delivery devices on the school property or at off-campus, school-sponsored events. This includes promotion of these products via gear, bags, clothing, any personal articles, signs, structures, vehicles, flyers or any other materials.
- C. The District will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person found to have violated this policy. Enforcement of this policy includes all individuals on school/district grounds.
- D. The District will provide vaping prevention instruction at least once to students in grades 6 through 8.

III. DEFINITIONS

- A. "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, including but not limited to: 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. The term "tobacco" excludes drugs, devices, or combination products as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration
- B. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation of aerosol or vapor from the product. The term will include, but is not limited to, any such devices, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- C. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- D. "Smoking" includes inhaling, exhaling, burning, or carrying smoke from any lighted or heated cigar, cigarette, pipe or any other lighted or heated product containing, made or derived from nicotine, tobacco, marijuana or other plant product natural or synthetic that is intended for inhalation. Smoking also includes carrying or using an activated electronic delivery device.

- E. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of aerosol or vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product.

IV. PROHIBITION

- A. No person shall at any time smoke, chew, or otherwise ingest tobacco, or carry or use an activated electronic delivery device in any indoor area or on any grounds or property that is owned, leased or contracted for by the School District. This prohibition extends to all facilities, whether owned, rented or leased, and to all vehicles that the school district owns, leases, rents, contracts for or controls. This prohibition extends to all events and activities sponsored by the Saint Paul Public Schools.
- B. No person under age 21 shall possess tobacco, heated tobacco products, tobacco-related devices, or electronic delivery devices in or on any grounds or property that is owned, leased or contracted for by the School District. This prohibition extends to all facilities, whether owned or leased, and to all vehicles that the school district owns, leases, rents, contracts for, or controls. This prohibition extends to all events and activities sponsored by the Saint Paul Public Schools.
- C. The School District will not solicit or accept any contributions or gifts of curriculum, materials, or equipment from companies that manufacture and are identified with tobacco, heated tobacco products, tobacco-related devices, or electronic delivery devices.
- D. The School District will not promote or allow promotion of tobacco products, tobacco-related devices or electronic delivery devices on school property or at school-sponsored events.

V. EXCEPTIONS

- A. It shall not be a violation of this policy when for an American Indian for an adult to lights tobacco on school district property as a part of a traditional American Indian spiritual or cultural ceremony. A student may carry a medicine pouch containing loose tobacco intended as observance of traditional American Indian spiritual or cultural

practices. An American Indian is a person who is a member of an American Indian tribe as defined under Minnesota law or descendant of a tribal member.

- B. It shall not be a violation of this policy if an individual possesses, in compliance with the School District's Medications / Medical Procedures policy, a product or device that has been approved by the United States Food and Drug Administration for sale 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.
- C. It shall not be a violation of this policy if an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale 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. Nothing in this exception authorizes smoking or use of tobacco, heated tobacco products, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school District.

VI. ENFORCEMENT

- A. All individuals on any grounds or property that is owned, leased or contracted for by the District shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to School District disciplinary procedures, per Policy 506: Student Discipline.
- C. School District personnel, including school board members, who violate this tobacco-free policy shall be subject to applicable discipline procedures.
- D. School District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law and school district policies.

LEGAL REFERENCES:

Minn. Stat. § 144.413 (Definitions)
Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)
Minn. Stat. § 144.4165 (Tobacco Products Prohibited in Public Schools)
Minn. Stat. § 144.4167 (Permitted Smoking)
Minn. Stat. § 144.417 (Commissioner of Health, Enforcement, Penalties)
Minn. Stat. § (609.6855 Sale of Nicotine Delivery Products to Children Persons Under Age 21)

CROSS REFERENCES: Policy 413.00,

Policy 504.00,

Policy 506.00, Policy

516.00, Policy 706.00,

Policy 540.00,

Policy 716.00,

Drug-Free Workplace

Drug- Free Schools

Student Discipline; Student Behavior Handbook

Smudging

Medications/Medical Procedures

Grants and Gifts

Advertising in the Schools

District Advertising and Name or

Logo Use