

## **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 this Board's "Tobacco Use and Possession" policy.

### **I. PROHIBITED CONDUCT**

#### **A. Students**

The use, possession, sale, dispensing or distribution of tobacco products by **all** students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and buses, and at all other times.

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

The use of tobacco products 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.

### **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. Parents/legal guardians shall be sent written notice regarding the tobacco violation.
2. Up to five (5) days suspension.
3. The student will be referred to the school resource officer.
4. If the student agrees to attend a smoking cessation program, the suspension is reduced to one day.
5. The student will not be allowed to participate in any extracurricular activities.
6. The student will be referred to the substance abuse counselor.

2nd Violation and Beyond

1. Parents/legal guardians shall be sent written notice regarding the tobacco violation. A parent/legal guardian shall also be required to meet with principal within five days of the violation.
2. Up to ten (10) days suspension.
3. The student may be summoned by the school resource officer.
4. The student will not be allowed to participate in any extracurricular activities.
4. The student will be referred to school substance abuse counselor.

**B. Other Persons in Violation**

All other persons violating this policy, e.g., employees, visitors, shall be immediately directed to cease violative 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**

This Board's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks. Parents/guardians shall also be sent notification in writing of this Board's tobacco policy and administrative procedures. Notices 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 § 1578-B  
Me. PL 470 (An Act to Reduce Tobacco Use By Minors)

*Cross Reference:* JICH – Substance Abuse by Students

*Reviewed:* 12/07

*Adopted:* 5/14/08

*Revised:* 6/13/18