

## 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. DEFINITIONS

For purposes of this policy, "tobacco" is defined to include any lit or unlit cigarette, cigar, pipe, blunt, bidi, dissolvable, orbs, snus, clove cigarette and any other tobacco product, and spit tobacco, also known as smokeless tobacco, dip, chew, and snuff, in any form.

For purposes of this policy, "tobacco use" includes smoking, which means carrying or having in one's possession: a lighted cigarette, cigar, pipe or other object giving off smoke or vapor and chewing spit tobacco – also known as smokeless tobacco, dip, chew, snuff, snus, and dissolvable, in any form.

### II. PROHIBITED CONDUCT

#### A. Students

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

Students are also prohibited from wearing and/or displaying any type of tobacco promotional materials.

#### B. Employees and All Other Persons

The use of tobacco products, including e-cigarettes, 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.

The staff is expected to discourage tobacco use by students and visitors by informing them of the smoking/tobacco use policy and to try to educate them on the health risks of tobacco products. The Board will promote non-use through the provision of tobacco treatment options for employees and students.

### III. USE AND/OR POSSESSION

The RSU, inclusive of all its buildings and property, shall be tobacco-free 24 hours a day, 365 days per year. This includes all days when school is not in session and all

functions taking place on school grounds including buildings, walkways, parking lots, playing fields, and within vehicles. This includes all athletic functions and other activities sponsored by the school.

Possession and/or use of tobacco products by students on district property, in district vehicles, and at school-sponsored events are prohibited.

The use of tobacco products by all school employees on district property, in district vehicles, and at school-sponsored functions is prohibited.

The use of tobacco products by all visitors on district property is prohibited. This includes non-school hours and at all events sponsored by the school and others.

Advertising of tobacco products is prohibited in school buildings, on school property, at school functions, and in all school publications. This includes clothing such as T-shirts and hats worn by students and staff.

#### IV. ENFORCEMENT

If a prohibited conduct occurs, the Principal of the school must report to the Superintendent any violations of this Policy, as promptly as practicable.

##### A. Student Violations

The Superintendent shall develop age-appropriate disciplinary guidelines for students violating this policy/administrative procedure, which shall be attached to this administrative procedure.

##### Disciplinary Procedures:

1. Incident of use and/or possession of tobacco products or incident of providing or sale of tobacco products will allow school officials to:
  - a. Confiscate material
  - b. Notify parent/guardian; hold conference with principal or assistant principal
  - c. Meet with school counselor or designated staff
  - d. Mandatory tobacco prevention education component with school nurse or pre-approved, outside organization
  - e. Disciplinary consequences as outlined in the RSU2 Discipline Matrix

##### 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.

**C. 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.

All visitors to RSU 2 facilities must comply with this policy set forth by the RSU #2 Board of Directors. Smoking or the use of tobacco products by visitors is strictly prohibited. This includes non-school hours and all functions of the school, athletic or otherwise. This also includes other organizations using school property.

Anyone found smoking or using tobacco products will be asked by the appropriate school official to refrain from smoking or tobacco use while on district property. They will be informed of the district's tobacco-free policy. If the visitor does not comply, he or she will be asked to leave. If he or she refuses to leave, law enforcement will be called.

**V. NOTICES**

The RSU2 Board's policy and corresponding disciplinary actions for infractions of this policy shall be included in student handbooks. Parents/guardians shall also be sent notification of this tobacco policy and administrative procedures. The policy will also be posted on the RSU2 website. A tobacco free campus statement shall be read at the beginning of each adult education course and at each athletic contest. Those adults using tobacco products at games will be asked to leave the premises and may be referred to law enforcement as appropriate. Tobacco free signs will be posted within the boundaries of each RSU2 learning community.

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)

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