

ELLSWORTH SCHOOL DEPARTMENT**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.

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. In addition, employees and all other persons are strictly prohibited, under law and the Board's policy and administrative procedure, from selling, dispensing, or distributing tobacco products to students.

All of these same prohibitions shall apply to any tobacco product including but not limited to cigarettes, cigars, spit and smokeless tobacco, chew, snuff, snus, and other non-FDA approved devices designed to deliver nicotine through inhalation or "vaping" or used to simulate smoking (electronic cigarettes or other vaping devices).

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

The Superintendent shall develop age-appropriate disciplinary guidelines for students violating this policy/administrative procedure, which shall be included in the student handbook.

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 other products listed above.

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C. Other Persons in Violation

All other persons violating this policy, e.g. employees and visitors, shall be immediately directed to cease violative behavior. In addition, all persons suspected of selling, distributing, or in any way dispensing tobacco products, or other products listed above 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 and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks. Parents/guardians shall be provided with access to the Board's tobacco policy and administrative procedures.

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)

Adopted: July 14, 2015

Reviewed: October 10, 2017