

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

### **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**

##### **1<sup>st</sup> VIOLATION**

1. Parents/legal guardians shall be notified regarding the tobacco violation.
2. Students shall be referred to a substance abuse counselor, participate in an educational experience, and Alternative to Suspension Program or if refused may receive up to three days of suspension.

3. Students who are involved in extracurricular activities are subject to the guidelines outlined in the athletic procedure.

## 2<sup>nd</sup> VIOLATION

1. Parents/legal guardians shall be notified regarding the tobacco violation.
2. Students shall be referred to a substance abuse counselor, participate in an educational experience, and Alternative to Suspension Program or if refused may receive up to three days of suspension.
3. Students who are involved in extracurricular activities are subject to the guidelines outlined in the athletic procedure.
4. The number of substance abuse counseling sessions for the student will be based on need and determined by the counselor.

## 3<sup>rd</sup> VIOLATION

1. Parents/legal guardians shall be notified regarding the tobacco violation. The student and a parent/legal guardian shall also be required to meet with an administrator within five days of the violation.
2. Students shall be referred to a substance abuse counselor, participate in an educational experience, and Alternative to Suspension Program or if refused may receive up to five days of suspension.
3. The number of substance abuse counseling sessions for the student will be based on need and determined by the counselor.
4. Students who are involved in extracurricular activities are subject to the guidelines outlined in the athletic procedure.

### 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. Visitors in Violation

Visitors violating this policy shall be immediately directed to cease violative behavior. Persons who do not comply will be asked to leave, the police may be called and they may be charged with trespassing. 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.

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)

Adopted: July 13, 2011

Revised: August 10, 2016