

## 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 by all persons. The display or wearing of any type of tobacco promotion materials is also prohibited.

#### 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, and 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. The Principal shall report any violations of this policy/procedure, as promptly as practicable, to the Executive Director.

#### A. Student Violations: Elementary Grades (K-5)

Smoking and the use, possession and sale of tobacco products are prohibited by school policy in school buildings, on school grounds, on school buses and at school-sponsored functions at all times by all persons.

### 1<sup>st</sup> Violation

1. Confiscate materials
2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with principal.
3. Up to three days suspension from school.

### 2<sup>nd</sup> Violation

1. Confiscate materials
2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with principal.
3. Up to five days suspension from school – with tobacco prevention education if available.
4. Report to Police

## B. Student Violations: Middle Grades (6-8)

Smoking and the use, possession and sale of tobacco products are prohibited by school policy in school buildings, on school grounds, on school buses and at school-sponsored functions at all times by all persons.

### 1<sup>st</sup> Violation

1. Confiscate materials
2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with principal.
3. Up to three days suspension from school.

### 2<sup>nd</sup> Violation

1. Confiscate materials
2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with principal.
3. Up to five days suspension from school.

### 3<sup>rd</sup> Violation

1. Confiscate materials
2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with principal.
3. Up to 10 days suspension from school
4. Report to Police

#### C. Student Referral to Law Enforcement Agency

The Executive Director 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 Executive Director/designee shall refer to a law enforcement agency any student reasonably suspected of selling, dispensing or distributing tobacco products.

#### D. Other Persons in Violation

All other persons violating this policy, e/g. employees, visitors shall be immediately directed to cease violative behavior. This includes non- school hours and all functions of the school, athletics or otherwise. This also includes other organizations using school property. 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. If the visitor does not comply, they will be asked to leave. If they refuse to leave, the police may be called.

### III. NOTICES

The Board's tobacco policy and corresponding disciplinary actions for infractions shall be printed in employee and student handbooks.

Signs indicating that the use of tobacco is prohibited shall be posted in CRCS.

Legal References:           20 USC § 6081 (Pro-Children Act of 1994 – Goals 2000)  
                                      22 MRSA § 1578-B  
                                      Me. PL 470 (An Act to Reduce Tobacco Use by Minors)

Adopted: 8/15/2012