

ADC-R Tobacco Use and Possession Administrative Procedure

The purpose of the following administrative procedure is to implement the mandates imposed by the various federal and state laws in addition to this Board's "Tobacco Use and Possession" policy.

It also applies to electronic cigarettes and other devices designed to deliver nicotine through inhalation or "vaping," or used to simulate smoking.

I. PROHIBITED CONDUCT

A. Students The use, possession, sale, dispensing or distribution of tobacco products by any students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and buses, and at any time.

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 any time on school grounds.

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 and administrators shall develop age-appropriate disciplinary guidelines for students violating this policy/administrative procedure, which can be found in the appropriate school 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 and/or electronic smoking devices.

C. Other Persons in Violation All other persons violating this policy, e.g. employees, visitors, shall be immediately directed to cease the behavior. Visitors who violate this policy will be asked to cease the behavior and may be asked to leave the activity or premises. Violations may also be referred to law enforcement, depending on the facts of the particular case. Employees who violate this policy may be disciplined in accordance with any applicable collective bargaining contract and/or policy, and violations may be referred to law enforcement if they involve students.

NOTICES

The Board's policy and corresponding disciplinary actions for infractions of this policy shall be included in employee, and student handbooks. 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: April 9, 2001 Reviewed by Board: October 10, 2005 Revised: April 28, 2014; March 26, 2018

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