

## **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 School Committee'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 School Committee'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 sent written notice regarding the tobacco violation which shall be signed by the parent/legal guardian and returned to the school.
2. Up the three days of *detention*). The student will read or view a video about tobacco products and complete an accompanying question/answer page in a satisfactory manner.

3. The student will not be allowed to participate in an extracurricular activity during the period of detention. When applicable, the student may attend practices but cannot participate in any events during the suspension/detention period.

2<sup>nd</sup> Violation:

1. Parents/legal guardians shall be sent written notice regarding the tobacco violation which shall be signed by parent/legal guardian and returned to the school. A parent/legal guardian shall also be required to meet with the Principal within five days of the violation.
2. Up to five days of in-school suspension.
3. The student will not be allowed to participate in an extracurricular activity during the suspension. When applicable, the student may attend practices but cannot participate in any events during the suspension.

3<sup>rd</sup> Violation:

1. Parents/legal guardians shall be sent written notice regarding the tobacco violation which shall be signed by parent/legal guardian and returned to the school. A parent/legal guardian shall also be required to meet with the Principal within five days of the violation.
2. Minimum of five-day of in-school suspension.
3. The student will not be allowed to participate in any extracurricular activity during suspension. When applicable, the student will also be prohibited from attending practices and participating in any events during the suspension.

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.

### III. Notices

This School Committee's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks.

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: January 14, 1999  
Revised: **February 12, 2002**