

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.

Definition: When used in this Administrative Procedure, the phrase “tobacco products” includes but is not limited to tobacco products and tobacco-related devices, imitation tobacco products, electronic vaporizer devices, including e-cigarettes, e-cigars, e-pipes, e-hookahs, vape pens or similar devices. The phrase also includes nicotine products that are not being used as Nicotine Replacement Treatment. NRT products allowed in school include nicotine gum, lozenges, patches, and prescribed NRT inhalers or nasal spray, when they are being used to assist with Tobacco Addiction Recovery.

A. PROHIBITED CONDUCT

1. Students

The use, possession, sale, dispensing or distribution of tobacco products or paraphernalia by all students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and buses, and at all other times.

2. Employees and All Other Persons

The possession and/or use of tobacco products or paraphernalia 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 distribution tobacco products or paraphernalia to students

B. 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.

Students in violation of the tobacco policy will be given a list of resources on a tobacco cessation program. Any costs for these programs will be the responsibility of the student and/or student’s family.

1. Student Violations

First and Second Violation

- a. The first and second violation shall result in confiscation of tobacco products and paraphernalia, tobacco-related devices, imitation tobacco products, lighters and/or electronic nicotine delivery systems.
- b. 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.
- c. At least one of the following will be required:
 - i. A student meeting and individual student assessment with a health educator or provider or a designated staff to discuss commercial tobacco use and the school policy;
 - ii. Student participation in a tobacco education program; or
 - iii. Provision of information to the student and family/guardian about available tobacco cessation programs and resources.

- d. Student participation in extracurricular activities will be restricted as outlined in student handbooks.
- e. Other disciplinary measures might be taken as determined necessary by the Administration and consistent with school policies and procedures.

Third and Any Subsequent Violation

- a. The third and any subsequent violation shall result in confiscation of tobacco products and paraphernalia, tobacco-related devices, imitation tobacco products, lighters and/or electronic nicotine delivery systems; notification of parents and guardians; the provision of information to the student about available cessation programs; student participation in a tobacco education programs; restriction of extracurricular activities as outlined in student handbooks; and at least one of the following:
 - i. A student meeting and individual student assessment with a health educator or provider or a designated staff with parents and/or guardians to discuss commercial tobacco use and school policy;
 - ii. Education community service.
 - b. The student may be suspended for up to five days, depending on the situation, number of infractions and the age of the student. In addition, the Police Department will be notified of the student violating state smoking laws.
2. 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 or paraphernalia to students shall be referred to a law enforcement agency.

Any employee violating this policy shall be subject to appropriate disciplinary measures up to and including dismissal.

C. NOTICES

This Board's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks and shall be posted on the RSU 13 website. Parents/Guardians shall also be sent notification in writing of this Board's tobacco policy and administrative procedures annually. A tobacco-free campus statement shall be read at the beginning of any adult education course and at each athletic contest. Those adults using tobacco products at games or events will be asked by police or administration to extinguish any such products. Tobacco-free signs shall be posted at all entrances of school buildings, school playgrounds, and athletic fields.

D. PROHIBITIONS AGAINST ADVERTISING

The Board prohibits any form of tobacco advertising in school buildings, at school functions and in school publications. Additionally, the Board prohibits sponsorship of school activities and functions by tobacco industry or retailers. Moreover, students are prohibited from wearing or displaying any type of tobacco promotional material. Students wearing such clothing will be asked to remove or change the inappropriate apparel.

E. TOBACCO TREATMENT SUPPORT

Information regarding tobacco treatment resources such as onsite counseling and the Maine QuitLink Line (1-800-Quit-Now or visit www.MaineQuitLink.com) will be made available to those who use tobacco products and are interested in quitting. This includes vaping support services such as the Vaping Quit Support Line (1-844-9NO-VAPE or NoVape@TheQuitLink.com) and the Youth Texting Program (text Maine to 88709 or visit www.vapefreemaine.com).

F. TOBACCO EDUCATION

As capacity allows, students and appropriate student groups will be supported to participate in the tobacco-free school initiative, including but not limited to increasing policy awareness, implementing policy compliance strategies, and educating students on the dangers of tobacco use and secondhand/thirdhand smoke exposure.

Age-appropriate tobacco prevention, use, and exposure education will be incorporated into the curriculum in alignment with education standards and will include awareness of the tobacco-free policy.

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)

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