

**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 when the school is responsible for the student.

B. Employees and All Other Persons

The use, sale, dispensing or distribution 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.

II. ENFORCEMENT

In order to enforce the tobacco products policy, the following guidelines shall be utilized by the Executive Director of a school in which prohibited conduct occurs. The designated staff shall report any violations of this policy/procedure, as promptly as practicable, to the Executive Director.

A. Student Violations

1. Parents/legal guardians and special education directors from the student’s school district will be notified in writing regarding the tobacco violation. The written notice will be signed by the parent/legal guardian and returned to the school.

2. Depending on the nature of the violation, students will be disciplined on a case-by-case basis following the procedures provided in the parent/student handbook.

#### B. 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.

#### 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 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 MECDHH/GBSD.

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: March 3, 2005**

**Edited for school name/administrator title: January 2014**