

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 MSAD #30's "Tobacco Use and Possession" policy.

1. 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 busses, 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 busses during school-sponsored events and at all other times on school groups. In addition, employees and all other persons are strictly prohibited, under law and this policy/administrative procedure, from selling, dispensing or contributing tobacco products to students.

~~This is a maximum discretionary standard. Units will have to adopt policy language to meet collective bargaining agreements and local choice~~

2. ENFORCEMENT

In order to enforce the tobacco products policy, the following guidelines will generally 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

1st Violation

1. Parent/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 to three days suspension. The student will read a Unit- provided packet of information about tobacco products and complete an accompanying question/answer page in a satisfactory manner.
3. The student will not be allowed to participate in any extra-curricular activity during the suspension period.

2nd 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 suspension.
3. The student will not be allowed to participate in any extracurricular activity during the suspension period.

3rd 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 suspension.
3. The student will not be allowed to participate in any extra-curricular activity during 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.

3. NOTICES

MSAD # 30's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks.

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

Adopted: September 24, 1996