

## **TOBACCO FREE SCHOOL POLICY**

### **I. RATIONALE FOR REGULATION OF POSSESSION & USE**

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff, and others on district property and at school-sponsored activities. Tobacco is the leading cause of preventable death and disability in Maine. In order to promote the health and safety of all students, employees, and the general public, and to role model a non-tobacco use environment, the following tobacco policy has been established.

### **II. DEFINITIONS**

For the purposes of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, smokeless tobacco products and any other tobacco product. All of these same prohibitions shall apply to electronic cigarettes and other devices designed to deliver nicotine through inhalation or “vaping,” or used to simulate smoking.

### **III. TOBACCO USE & POSSESSION**

The school grounds will be tobacco free 24 hours a day, 365 days per year. Students, or anyone under the age of 21, cannot possess, use, distribute, or sell tobacco, including any smoking device on district premises, at school-sponsored activities on or off district premises, in district-owned, rented or leased vehicles, or otherwise while the student is under the jurisdiction of MSAD 55.

Tobacco prevention education will be incorporated into the district’s pre-K-12 comprehensive health curriculum as part of the Maine Learning Results.

Tobacco use or distribution by staff, faculty, visitors, chaperones, volunteers, and the parents or guardians of students on district property, at district sponsored events, in district owned, rented or leased vehicles or otherwise while on duty on or off district premises is prohibited. Staff and/or all others authorized to use private vehicles to transport district students to school-sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

### **IV. TOBACCO ADVERTISING**

Clothing, bags, hats, notebooks and other personal items used by staff and students to display, promote, or advertise tobacco products are prohibited on district grounds and at school-sponsored activities. Tobacco advertising is prohibited in all school-sponsored publications in all school buildings and at all school-sponsored events. District acceptance of gifts or funds from the tobacco industry is similarly prohibited.

### **V. COMMUNICATION OF POLICY**

This tobacco policy will be included as part of student and employee handbooks. Employees and parents/guardians/caregivers of students will be made aware annually of this policy. Signs indicating tobacco-free areas will be posted at all school property entrances, parking lots, and athletic fields.

### **VI. REGULATION & ENFORCEMENT OF POLICY**

All staff are expected to enforce this policy under the direction of their school principal. The school principal shall report any violations of this policy as promptly as practicable to the Superintendent.

**Students:** In recognition of the value of effective tobacco intervention, the district will prioritize the promotion of cessation resources and other supportive alternatives to discipline.

1. First Offense – will result in any or all of the following:
  - A. Confiscate material.
  - B. Parent/legal guardian sent written notice regarding tobacco violation.
  - C. Refer the student for assessment to the school resource officer, guidance counselor, or social worker.
  - D. The school resource officer, guidance counselor, or social worker may provide student resources for available cessation programs or substance abuse counseling, for a minimum of one session. Maine Tobacco Helpline-1-800- 207-1230 or visit [TheQuitlink.com](http://TheQuitlink.com)
  - E. Up to three days out-of-school suspension. A three day suspension will be assigned, reduced to two days, upon completion of the tobacco education program. The suspension begins on the school day immediately following the day of the infraction.

2. Second Offense – will result in any or all of the following:

Follow Steps A-D listed under First Offense and:

- A. The school resource officer, guidance counselor, or social worker may provide student resources for available cessation programs or substance abuse counseling, for a minimum of one session. Maine Tobacco Helpline-1-800-207-1230 or visit [TheQuitlink.com](http://TheQuitlink.com)
- B. Up to five days out-of-school suspension. A five day suspension will be assigned, reduced to three days, upon completion of the tobacco education program. The suspension begins on the school day immediately following the day of the infraction.

3. Third Offense – will result in any or all of the following:

Follow Steps A-D listed under First Offense and:

- A. The school resource officer, guidance counselor, or social worker may provide student resources for available cessation programs or substance abuse counseling. Maine Tobacco Helpline-1-800-207-1230 or visit [TheQuitlink.com](http://TheQuitlink.com)
- B. Up to ten days out-of-school suspension.

4. Subsequent Offenses – will result in any or all of the following:

Follow Steps A-D listed under First Offense and:

A ten day suspension will be assigned. At the discretion of the Superintendent, an expulsion hearing with the Board may be initiated.

## **VII. 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, look-alike tobacco products, or electronic cigarettes.

**Visitors:** Anyone found smoking or using tobacco products on school property or at a school function will be made aware of the school's tobacco policy and asked to refrain from tobacco use while on school property or at a school sponsored event. If they do not comply, they will be asked to leave. If they refuse to leave, the police will be called and a charge of trespassing may be levied.

**Faculty/Staff:** Employees of MSAD 55 found acting in violation of the tobacco policy shall be subjected to the following procedures regarding enforcement:

**1<sup>st</sup> Offense:**

- A. Written warning by the appropriate administrator placed in personnel file.
- B. Referral to a tobacco treatment program.
- C. Possible leave without pay or dismissal.

**2<sup>nd</sup> Offense:**

- A. A formal reprimand by the appropriate administrator.
- B. A copy of reprimand letter will be placed in personnel file.
- C. Referral to a tobacco treatment program
- D. Meeting with the Board and possible leave without pay or dismissal.

The Partnership For A Tobacco-Free Maine (PTM) recommends The Maine Tobacco Helpline at 1-800-207-1230 for free cessation resources and support for teenagers and adults looking to quit tobacco use. Contact PTM for free Tobacco-Free Area signage or for resources at [www.tobaccofreemaine.org](http://www.tobaccofreemaine.org).

Legal reference: 22 MRSA §§ 1578(B), 1580(A)(3)  
ME PL 470 (An act to reduce Tobacco Use by Minors).  
20 USC 6081-6084 (Pro-children Act of 1994)

Cross Reference: JICA – Student Dress  
JL – Student Wellness  
KF – Community Use of School Facilities  
KHB – Advertising in the Schools

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