

JEFFERSON VILLAGE SCHOOL

ADMINISTRATIVE GUIDELINES

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.

Definitions

Tobacco Products - When used in this administrative procedure, "tobacco products" means any form of tobacco and any material or device used in the smoking, chewing or other form of tobacco consumption, including but not limited to: cigarettes and rolling papers, pipes, smokeless tobacco, chew, snus, imitation tobacco products, electronic smoking devices and components (i.e. electronic nicotine delivery devices such as e-cigarettes, e-hookahs, e-cigars, vape pens or similar devices).

Smoking – When used in this administrative procedure "smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar or pipe or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. "Smoking" includes the use of an electronic smoking device.

I. PROHIBITED CONDUCT

The smoking, use and possession of all tobacco products is prohibited in all school buildings and on school property at all times. This includes all days when school is not in session and all functions taking place on school grounds, such as athletic events or other activities not associated with, or sponsored by, the school. The policy applies to everyone on school grounds, including students, school staff, parents, and visitors. The policy extends to school buses and in all school owned or leased vehicles.

Possession of any tobacco products is prohibited by anyone (adult or minor) on district property, in school vehicles, and at school-sponsored functions at any time. Students are prohibited from wearing clothing or gear that includes tobacco brands, including e-cigarette or electronic nicotine delivery system brands.

The sale, distribution, dispensing, or promotion of tobacco products and paraphernalia is prohibited on school property and at all school functions. Advertising tobacco products is prohibited in school buildings, on school property, and in all school publications. Tobacco industry and tobacco retailer sponsorship of school activities or functions is prohibited.

II. ENFORCEMENT

The following guidelines shall be utilized by the Principal of the school in which prohibited conduct occurs. The Principal or designee shall report any violations of this policy/procedure, as promptly as practicable, to the Superintendent.

A. Students

First incident:

- i Confiscate material or investigate to determine if student has been using or is in possession of tobacco product
- ii Parent/legal guardian sent written notice. Hold meeting with school administrator
- iii Refer student to the Maine Tobacco HelpLine, 1-800-207-1230 or online, <https://thequitlink.com/> or appropriate education program
- iv In-school suspension

Second and subsequent incidents:

- i Confiscate material or investigate to determine if student has been using or is in possession of tobacco product
- ii 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
- iii A parent/legal guardian shall also be required to meet with a school administrator or teacher within five days of the violation.
- iv Refer student to the Maine Tobacco HelpLine, 1-800-207-1230 or online, <https://thequitlink.com/> or appropriate education program

- v The student may be suspended for up to five days, depending on the situation and age of the student
- vi Restrictions on extra-curricular activities are as outlined above. In addition to the above-identified sanctions, students may be removed from extra-curricular activities for the remainder of the year

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 the violative behavior. Persons found to be using or possessing any form of tobacco will be informed of the school's tobacco-free policy. Persons who do not comply will be asked to leave the property. If they refuse to leave, the police may be called, and they may be charged with trespassing.

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 the following disciplinary measures:

First incident:

- i Investigate to determine if staff member has violated Policy ADC
- ii Notify law enforcement if appropriate
- iii Hold conference with the Principal

- iv Review the policy, issue verbal warning by the Principal
- v Refer to the Maine Tobacco HelpLine, 1-800-207-1230 or online, <https://thequitlink.com/>

Second and subsequent incidents:

- i Investigate to determine if staff member has violated Policy ADC
- ii Notify law enforcement if appropriate
- iii Hold conference with the administration and immediate supervisor
- iv Review the policy, issue written warning that will be placed in personnel file
- v Refer to the Maine Tobacco HelpLine, 1-800-207-1230 or online, <https://thequitlink.com/>

For instances of selling, distributing or in any way dispensing tobacco products to students on school property, staff will immediately be referred to the Superintendent of Schools and may be recommended to take possible leave with pay or for dismissal.

III. NOTICES

This policy will be communicated through a variety of efforts to educate students, school staff parents and visitors. Tobacco-free signs shall be posted at all entrances of school buildings, school playgrounds and athletic fields. This policy will be announced at school functions, such as sporting events, orientations, concerts and plays as a reminder to attendees. This Board's policy and corresponding disciplinary actions for infractions of this policy shall be included 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 annually and returned to the school where they shall be kept on file by the school unit.

IV. PROHIBITIONS AGAINST ADVERTISING

The Board prohibits any form of tobacco advertising in school buildings, at school functions and in school publications. This includes prohibiting tobacco companies from sponsoring school functions. Moreover, students are prohibited from wearing of

displaying any type of tobacco promotional material. Students wearing such clothing will be asked to remove or change the inappropriate material.

V. 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 smoke exposure.

Age-appropriate tobacco prevention, use, and exposure education will be incorporated into the comprehensive health education curriculum in alignment with the Maine Learning Results' Health 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)

Adopted: January 7, 2019

Revised: November 4, 2019