

**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, facilities and on school buses during school-sponsored events and at all other times on school grounds.

**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 buses during school-sponsored events and at all other times on school grounds.

**II. ENFORCEMENT**

If a prohibited conduct occurs, the Principal of the school must report to the Superintendent any violations of this Policy, as promptly as practicable.

**A. Student Violations**

The Superintendent shall develop age-appropriate disciplinary guidelines for students violating this policy/administrative procedure, which shall be attached to this administrative procedure.

**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.

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 the school unit.

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)

First Reading: 3/9/09  
Adopted: 10/7/09