

Tobacco/Electronic Smoking Device Use and Possession Procedure

Rationale for Tobacco-Free School

Research has shown that students addicted to tobacco products do not learn as well because they are focused on the need for more tobacco versus learning. In order to promote the health and safety of all students and school employees, optimal learning conditions, and the cleanliness of all facilities, the RSU 40 School Board, hereinafter referred to as the “Board,” prohibits the use of all tobacco products in school buildings, facilities, and on school buses during school-sponsored events. Both policy and procedures reflect and emphasize the hazards of tobacco use; assure compliance with state and federal laws; protect the health and safety of all students, employees and the general public; and role model a non-tobacco use environment by adults.

Use of Tobacco Products

Tobacco is the number one killer and leading cause of preventable death in Maine. To support and model a healthy lifestyle for our students the Board has adopted a tobacco-free policy. RSU 40 buildings and property will be tobacco-free 24 hours a day, 365 days a year. This includes all days when school is not in session and all functions taking place on school grounds, such as athletic functions and other activities not associated with, or sponsored by, the school. Maine law prohibits possession or use of tobacco products by anyone less than 18 years of age.

Possession or use of tobacco products by students on district property or in school vehicles and at school-sponsored functions is prohibited.

The use of tobacco products by all school employees on school property or in school vehicles and at school-sponsored functions is prohibited.

The use of tobacco products by all visitors on school property is prohibited. This includes non-school hours and all functions sponsored by the school or by others, including athletics, on or off school property.

Advertising of tobacco products is prohibited in school buildings, on school property, at school functions, and in all school publications. This includes clothing that advertises tobacco products.

Communication

Tobacco Use and Possession policy and procedures will be referenced in both employee and student handbooks and adult education booklets on a yearly basis. Tobacco-free school signs will be posted in highly visible places both inside and outside all school buildings including the Central Office. Signs will be posted at all entrances of school buildings, school

playgrounds and athletic fields. The maintenance staff will be responsible for maintaining signage. Parents and guardians will be sent notification, and the local media will be asked to communicate this tobacco-free policy community wide. An announcement of the tobacco-free school policy will be made at all school events, including but not limited to athletics and drama.

Age-appropriate tobacco prevention education will be incorporated into the Regional School Unit 40 health education curriculum in alignment with the Maine Learning Results' Health Education Standards and will include awareness of the district policy.

Smoking Regulations for Elementary Schools (Grades PK - 6)

Disciplinary Procedures

1. First Incident

- A. Confiscate material.
- B. Parent/legal guardian shall be notified regarding the tobacco violation.
- C. Hold conference with the school administrator.
- D. Refer the student for assessment by the school counselor or health nurse.

2. Second Incident

- A. Confiscate material.
- B. Parent/legal guardian shall be notified regarding the tobacco violation.
- C. Hold conference with the school administrator.
- D. Refer the student for assessment by the school counselor or health nurse.
- E. Refer to police with material confiscated.
- F. School-based consequence such as in-school suspension.
- G. Offer student resources for available cessation programs.

3. Third and Subsequent Incidents

- A. Confiscate material.
- B. Parent/legal guardian shall be notified regarding the tobacco violation.
- C. Hold conference with the school administrator.
- D. Refer the student for assessment by the school counselor, health nurse or a person trained in tobacco prevention education.
- E. Refer to police with material confiscated.
- F. Suspension and/or community service.
- G. Offer student resources for available cessation programs.

Smoking Regulations for Middle and High School Students (Grades 7-12)

Disciplinary Procedures

1. First Incident

- A. Confiscate material.
- B. Parent/legal guardian shall be notified regarding the tobacco violation.
- C. Hold conference with school administrator.
- D. Refer student for assessment by the counselor, health nurse or person trained in tobacco prevention education.
- E. School-based consequence such as in-school suspension.

2. Second Incident

- A. Confiscate material.
- B. Parent/legal guardian shall be notified regarding the tobacco violation.
- C. Hold conference with school administrator.
- D. Refer to police with confiscated material.
- E. Refer the student for assessment by the counselor, health nurse or a person trained in tobacco prevention.
- F. Offer student resources for available cessation programs.
- G. In-school suspension.

3. Third and Subsequent Incidents

- A. Confiscate material.
- B. Parent/legal guardian shall be notified regarding the tobacco violation.
- C. Hold conference with school administrator.
- D. Refer to police with confiscated material.
- E. Refer student for assessment by the counselor, health nurse or person trained in tobacco prevention education.
- F. Offer student resources for available cessation programs.
- G. Out-of-school suspension

Regulations Governing Enforcement for Faculty/Staff

Faculty and staff includes all employees, such as administrators, teachers, educational technicians, custodians, maintenance workers, bus drivers, aides, secretaries, teacher assistants, food service personnel, etc. These individuals may not use tobacco products during working hours or at any time on school grounds or at a school-sponsored event. Staff members will be subject to the following procedures:

Any employee who violates the standards of conduct will be disciplined. Discipline for a violation will include, at a minimum, suspension of the employee from one to five days without pay, but may include other disciplinary sanctions, up to and including termination. Suspension without pay may be waived for a first offense if the employee agrees to participate in a cessation program.

Visitors

Visitors to the school facilities must comply with regulations set forth by the RSU 40 Board.

The use of tobacco products by visitors is prohibited. This includes non-school hours and all functions of the school. This also includes other organizations using school property.

Persons found using tobacco products will be asked by the appropriate school official to refrain from use while on school property. They 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.

Cross Reference: ADC Tobacco Use and Possession

Legal References: 20 USC § 6081-6084 (Pro-Children Act of 1994)
M.R.S.A. 22 § 1578-B
Me. PL 470 (An Act to Reduce Tobacco Use by Minors)

This is a required policy.

Adopted: September 13, 2013

Revised: January 22, 2015
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