

## 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 and facilities, during school-sponsored events, on school grounds and buses, 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 buses during school-sponsored events and at all other times on school grounds. In addition, employees and all other persons are strictly prohibited, under law and this Board's policy/administrative procedure, from selling, dispensing or distributing tobacco products to students.

### II. ENFORCEMENT & CONSEQUENCES

In order to enforce the tobacco products policy, the following guidelines shall 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.

The Board of Directors and Administrators have developed age-appropriate disciplinary guidelines for students violating this policy/administrative procedure, which is contained in MSAD #59's Code of Conduct & Student Handbook(s).

#### A. 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.

#### B. Employees in Violation

- **First Offense** - An employee's first offense will result in a written warning to the

employee by his/her administrator. The written warning will become a part of the employee's personnel file. The employee will also be encouraged to attend a Tobacco Cessation Program.

- **Second Offense** - An employee's second offense will result in a formal reprimand of the employee by his/her appropriate administrator. A letter reflecting the formal reprimand will become a part of the employee's personnel file. The employee will again be encouraged to attend a Tobacco Cessation Program.
- **Third Offense** - An employee's third offense will result in the employee meeting with the Madison School Committee and possible suspension from employment without pay and/or dismissal from employment.

### C. Other Persons in Violation

All other persons violating this policy, e.g., 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.

### 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 and the local media will be asked to communicate this tobacco-free policy community-wide. Additionally, signs will be posted at entrances of school buildings, school playgrounds, and athletic fields and an announcement will be made at the start of outdoor events.

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)

Cross Reference: JIC Student Code of Conduct

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