

**Section A: FOUNDATIONS AND BASIC COMMITMENTS**

**ADC-R 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 and related products by all students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and vehicles, and at all other times.

**B. Employees and All Other Persons**

The use of tobacco and related products by employees and all other persons is prohibited in school buildings, facilities and on school vehicles 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 or related products to students.

**II. ENFORCEMENT**

In order to enforce the tobacco and related products policy, the following guidelines shall be utilized by the Director/designee of a school in which prohibited conduct occurs. The staff shall report any violations of this policy/procedure, as promptly as practicable, to the Director/designee.

**A. Student Violations**

1st Violation

1. Parents/legal guardians shall be contacted regarding the tobacco violation.
2. Up to three days suspension and the Assistant Director/Student Services Coordinator will contact the sending school administrator.
3. The student will not be allowed to participate in any extracurricular activity during the suspension period and for the next event that they are scheduled to participate in.

2nd Violation

1. 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.

2. Up to five days suspension or potential dismissal from their program.

3rd Violation

1. The student will be dismissed from their program.

B. Student Referral to Law Enforcement Agency

The Director 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 Director/designee shall refer to a law enforcement agency any student reasonably suspected of selling, dispensing or distributing tobacco or related products.

C. Other Persons in Violation

All other persons violating this policy, e.g., employees, visitors, shall be immediately directed to cease this behavior. In addition, all persons suspected of selling, distributing or in any way dispensing tobacco or related 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.

Legal References: Public Law 107-110 - Pro-Children Act of 2001  
22 MRSA § 1578(B); 1580(A)(3); §1555-B

Cross Reference: ADC – Tobacco Use and Possession

First Reading: 12/18/2013, 8/26/15, 1/25/17

Adopted: 1/22/2014, 9/30/15, 2/22/17

Revised: 8/18/15, 1/9/17

Reviewed: \_\_\_\_\_