

TOBACCO-FREE ENVIRONMENT

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is tobacco-free.

II. GENERAL STATEMENT OF POLICY

- A. It shall be a violation of this policy for any student, teacher, administrator or other school personnel of the School District or person to use tobacco or tobacco-related devices, or electronic cigarettes in a public school. This prohibition extends to all facilities, whether owned, rented or leased, and all vehicles that a School District owns, leases, rents, contracts for or controls. This prohibition includes all School District property and all off-campus School District-sponsored events.
- B. It shall be a violation of this policy for a student or employee of any elementary school, middle school or secondary school to possess any type of tobacco or tobacco-related device, or electronic cigarette in a public school. This prohibition includes all School District property, school owned vehicles, and off-campus School-District-sponsored events.
- C. The School District will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, devices, or electronic cigarettes. The school district will not promote or allow promotion of tobacco products or e-cigarettes on school property or at school-sponsored events.

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

- A. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco; snuff, snuff flour, cavendish; plug and twist tobacco; fine cut and other chewing

tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.

- B. “Tobacco-related devices” means cigarette papers or pipes for smoking, or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- C. “Smoking” means inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking also included carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation and the use of electronic cigarettes, including the inhaling and exhaling of vapor from any electronic device.
- D. “Electronic cigarette” means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance, intended for human consumption, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under another product name or descriptor.

IV. EXCEPTION

It shall not be a violation of this policy for an Indian adult to light tobacco on School District property as part of a traditional Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.

A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

It also shall not be a violation of this policy for a teacher or presenter to light tobacco for educational purposes that demonstrate the dangers of smoking tobacco.

V. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.

- B. Students who violate this tobacco-free policy shall be subject to School District discipline procedures.
- C. School District administrators and other school personnel who violate this tobacco-free policy shall be subject to School District discipline procedures.
- D. School District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law and School District policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administrator or other School District supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

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