



STUDENT TOBACCO USE AND/OR POSSESSION

The Regional School Unit-24 (RSU) Board (RSUB) believes school activities hold a special place in a student's life. Given this belief, and the fact that Maine State Law prohibits persons under the age of eighteen (18) from possessing or using tobacco (which in this policy includes all tobacco products), the RSUB deems it unacceptable for a student to participate in RSU activities while indulging in the use of tobacco.

The administration of this policy will fulfill the RSUB's desire to discourage involvement in the use of tobacco products, encourage treatment for those students who use tobacco products and, when violations occur, determine appropriate consequences.

PREVENTION

The RSUB will provide appropriate programs with the goal of preventing and discouraging student use of tobacco. Tobacco prevention and education will be included in the comprehensive health education curriculum throughout the RSU.

ALL STUDENTS AT SCHOOL OR SCHOOL-RELATED EVENTS

The RSUB does not allow any student to possess, use, furnish, or feign use of tobacco products on RSU property or at any RSU-related event. Students in violation of this policy will be subject to the following:

*Tobacco Regulations for Elementary Schools
Grades K-5*

DISCIPLINARY PROCEDURES

1. First and Second Incidents

- A. Confiscate material.
- B. Parent/legal guardian shall be notified
- C. Hold conference with the school administrator.
- D. Refer student for assessment by the counselor, health nurse or person trained in tobacco prevention education and/or Maine Tobacco HelpLine 1-800-207-1230
- E. Detention, which may include tobacco education and prevention.
- F. The Superintendent 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 may refer to a law enforcement agency any student reasonably suspected to be selling dispensing or distributing tobacco products.

2. Third Incident

- A. Confiscate material.
- B. Parent/legal guardian shall be notified
- C. Hold conference with the school administrator.
- D. Refer student for assessment by the counselor, health nurse or person trained in tobacco prevention education and/or Maine Tobacco HelpLine 1-800-207-1230

E. In school suspension to include tobacco education and prevention.

F. The Superintendent 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 may refer to a law enforcement agency any student reasonably suspected to be selling dispensing or distributing tobacco products.

Tobacco Regulations for Middle and High School Students Grades 6–12

DISCIPLINARY PROCEDURES

1. First and Second Incidents

- A. Confiscate material.
- B. Parent/Guardian will be notified
- 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 and/or Maine Tobacco HelpLine 1-800-207-1230
- F. In-school suspension that includes a tobacco education component.

3. Third and Subsequent Incidents

- A. Confiscate material.
- B. Parent/Guardian will be notified
- 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 and/or Maine Tobacco HelpLine 1-800-207-1230
- F. In-school suspension that includes a tobacco education component and/or community service.

PARTICIPANTS IN COCURRICULAR ACTIVITIES

NOTE: Any activity for which a grade is not received is considered a co-curricular activity (CCA).

Students involved in any CCA are not allowed to be in violation of this policy at any time during the school year. If an RSU employee (or a source deemed to be reliable by the BA) observes a CCA participant who is either using or in possession of tobacco, that employee/source will report the incident to the BA who will review the details of the incident to determine if a violation has occurred.

CCA participants who are found to be in violation of this policy at any time during the school year are subject to the disciplinary actions stated above as well as to those listed below:

A. First Offense:

1. The student will be placed on a two-week probationary period.
2. The parent will be notified.
3. The student will not be allowed to represent any RSU school as a member of any team/group at any public forum, including, but not limited to, games, scrimmages, matches, contests, performances, or events during the two (2) week probationary period. The student will not at any time appear to represent the RSU by sitting or associating with any team/group at any home or away functions. This will also include the privilege of being able to wear the team's /group's school uniform/insignia.

4. If the student wishes to return to the CCA after the probationary period, the student must attend all practices/rehearsals/meetings of that activity, but will not be allowed to participate.
5. If the student does not attend all activity practices/rehearsals/meetings, he/she forfeits the opportunity to rejoin that CCA following the probationary period.
6. The BA will make the final decision as to the student's eligibility to return to the CCA.

B. Repeat Offenses:

1. The parent will be notified.
2. The Superintendent will be informed of the violation.
3. The student will be denied participation in any CCA for one (1) "Season".
4. If one (1) calendar year has passed since the last offense, the violation will be treated as a "first offense".
5. If a student is expelled from school and is re-admitted by the RSUB, in order to be eligible for participation in any CCA, he/she must submit a written request for reinstatement to the BA.

NOTE: At the sole discretion of the BA, a student found guilty of violating the "being present" rule may receive one half (½) the punishment/probation time stated above for first offenses.

NOTE: The Superintendent reserves the right to review any incident and may require the offender to appear before the RSU Board for a Hearing, regardless of any Disciplinary procedure listed in this Policy.

COMMUNICATION OF POLICY

This policy will be printed in student handbooks and posted on the RSU #24 website. Signs will be posted at all entrances of RSU school buildings, playgrounds and athletic fields.

Legal References: 21 USC § 812 (Controlled Substances Act)
 21 CFR Part 1300.11-15
 Public Law # 101-226 (Drug-Free Schools and Communities Act
 Amendments of 1989)
 17-A MRSA § 1101
 42 USC § 290dd-2
 42 CFR § 2.1 et seq.
 20-A MRSA §§ 1001(9); 4008

Cross References: ADC – Tobacco Use and Possession
 GBEC – Drug-Free Workplace
 JICIA – Weapons, Violence and School Safety
 JKD – Suspension of Students
 JKE – Expulsion of Students
 JLCD – Administering Medication to Students
 JRA – Student Educational Records

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