

TOBACCO USE / SMOKING ON SCHOOL PREMISES

The use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs is prohibited in the following locations:

- School grounds.
- School buildings.
- School parking lots.
- School playing fields.
- School buses and other District vehicles.
- Off campus school sponsored events.

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.1 through 6.12.4.9. Notice and a listing of prohibited items will be included in a Tobacco, Drug and Alcohol-Free School notice posted at the entrance to school buildings and athletic events.

All District employees are expected to cooperate in the enforcement of this policy. Members of the public using or blatantly flaunting prohibited products on school premises and failing to respond to a verbal warning shall be requested to leave the premises by school supervisory personnel in accord with laws on trespass. Law enforcement may be notified to assist with enforcement.

No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

The prohibitions do not apply to an adult when possession or use of the prohibited products are for demonstration purposes as a necessary instructional component of a tobacco prevention or cessation program that is approved by the school.

Adopted: date of manual adoption

LEGAL REF.: 24-16-3 NMSA *et seq.*, Dee Johnson Clean Air Act

6.11.2.9 NMAC

6.12.4.8 NMAC

1994 Op. Att'y Gen. No. 94-03, 1994 N.M. AG LEXIS 4.

20 U.S.C. 6083 Pro-Children Act of 1994 (Environmental Tobacco Smoke).

34 C.F.R. Part 85 Drug Free Workplace Act

CROSS REF.: GBED Tobacco Use by Staff Members

JICG Tobacco Use by Students

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.