

~~1140 TOBACCO-FREE SCHOOL DISTRICT~~

Information and Purpose

~~The School Board has a responsibility to promote a safe and healthy environment for students, staff, and community members. Tobacco use is identified as a major health risk for both the users and the non-users. It is the intention of the School Board to provide school district sites that are tobacco free and, consistent with the messages of health education programs. The School Board believes this policy decision regarding tobacco accommodates the concerns expressed by parents, students, and community officials.~~

~~For the purpose of this policy, the terms "tobacco" and "tobacco-related devices" shall have the meanings given them in Section 609.685 of the Minnesota Statutes and, as state statutes, may be amended by legislative action. Tobacco related devices include electronic cigarettes, electronic cigars, electronic pipes, or any other like products. Electronic cigarettes are defined as any electronic smoking device that can be used to deliver nicotine or any other substance to the person inhaling from the device.~~

Duluth City Code, Chapter 11 Section 9

- ~~A. The smoking or use of tobacco or tobacco related devices within the city by any person below the age of eighteen (18) years is hereby prohibited. Any person of such minor age found smoking or using tobacco or tobacco related devices shall be guilty of a misdemeanor;~~
- ~~B. No person under eighteen (18) years of age shall possess any tobacco or tobacco related devices on his or her person.~~

Policy Statement

~~Smoking and the use of tobacco products or tobacco related devices including electronic cigarettes shall be prohibited on School District facilities. School District facilities include school buildings, school grounds, school owned and leased vehicles, and sites leased by the School District. No one will use tobacco products or tobacco related devices while in or on School District facilities. In addition, it is prohibited to have tobacco products or tobacco related devices in public sight while in or on School District facilities..~~

Exception

~~(MN Statue 144.4169) It shall not be a violation of this policy for an American Indian adult to light tobacco in a public school as part of a traditional Indian spiritual or cultural ceremony, or to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support.~~

~~It shall not be a violation of this policy for an American Indian student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and with written or verbal notice to the site administrator or principal.~~

Enforcement Procedures

Students (K-12)

Students violating any part of this policy, which includes the city code cited above, will be referred to the School District site administrator or designated staff members. Students who are referred to the administration for violation will experience the following disciplinary procedures:

1. **First Violation:** Mandatory police notification; student conference; parent(s) or guardian(s) notification; tobacco ticket.
2. **Second Violation:** 1 day in or out of school suspension.
3. **Third Violation:** 1 to 3 days out of school suspension.

Staff

Staff members who are in violation will experience the following disciplinary procedures:

1. **First Violation:** a verbal warning by the immediate supervisor.
2. **Second Violation:** a referral to the Employee Assistance Program and a written warning placed in the staff member's personnel file.
3. **Third Violation:** will be cause for dismissal.

Other Citizens

Citizens in violation of this policy will experience the following:

1. A verbal request to stop the use of tobacco related products on the School District site.
2. Upon refusal to comply, a report will be made to the School District site supervisor who will issue a second verbal warning.
3. If the second warning is ignored, the site supervisor will direct the citizen to leave the site. Should non-compliance continue, local law enforcement personnel will be called.

School Neighborhoods

It is not the intention of a Tobacco-Free School District Policy to move student tobacco use from the School District site to the immediate neighborhoods; however, School District jurisdiction is limited to the designated School District sites. Should neighbors request assistance, school staff may be dispatched by the site administrator to counsel the students using tobacco in the neighborhood. In addition, local law enforcement personnel may be called to assist.

Adopted: ~~08-11-1987~~ ISD 709

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