



# WELLS-OGUNQUIT COMMUNITY SCHOOL DISTRICT

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## **TOBACCO/ELECTRONIC SMOKING DEVICE USE AND POSSESSION**

In order to promote the health, welfare and safety of students, staff and visitors and to promote the cleanliness of Wells-Ogunquit CSD facilities, the School Committee prohibits smoking and all other use of tobacco products, including electronic smoking devices, in school buildings and other school unit facilities, on school buses and District-owned/rented vehicles, and on all school grounds (including during public events and when school is not in session) at all times by all persons.

In addition, students are further prohibited from possessing, selling, distributing or dispensing tobacco products or electronic smoking devices at all times in school buildings, facilities and on school grounds and buses or other vehicles used to transport students, during school-sponsored events and activities, wherever they take place. Students are also prohibited from wearing, displaying on school grounds, and/or printing in school publications, any type of tobacco/electronic smoking device promotional materials.

Employees and all other persons are also strictly prohibited, under law and School Committee policy, from selling, distributing or in any way dispensing tobacco products or electronic smoking devices to students. Employees may not use tobacco products or electronic smoking devices at any time while supervising students, whether on or off school property. In addition, school district volunteers, contractors, or other persons performing services on behalf of the WOCSD also are prohibited from using tobacco products/electronic smoking devices at any time while on duty and in the presence of students, either on or off school grounds.

The above prohibitions shall apply to everyone in school buildings and on school property, including parents and visitors.

Any violation of the terms of this policy shall constitute sufficient grounds for student discipline, including suspension or expulsion from school, at the appropriate discretion of the administration and the School Committee. The School Resource Officer (SRO) or other appropriate law enforcement authority shall also be notified of violations of this policy. Students who participate in extra-curricular activities are subject to additional rules and sanctions (see WOCSD Policy JIC – District-Wide Student Code of Conduct).

### Others

Visitors and other persons found using tobacco/electronic smoking devices will be asked by the appropriate school official to refrain from use while on school property. They will be informed of the Maine State Law and the WOCSD tobacco-free policy. Persons who do not comply will be asked to leave the property. The police may be called and offender may be charged with criminal trespassing.

For the purposes of this policy,

- “Electronic Smoking Device” - means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device

manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.

- **“Smoke or Smoking”** – means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form.

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**Legal Reference:** 22 MRSA §§ 1578(B), 1580(A)(3)  
Me. PL 470 (An Act to Reduce Tobacco Use by Minors)  
20 USC 6081-6084 (Pro-Children Act of 1994)  
22 MRSA §1578(B)(1)  
Me. PL 1987 (An Act to Prohibit the Possession and Use of Electronic Smoking Devices on School Grounds) April 2019  
American Lung Association – Tobacco-free School Campus Policy

**Cross Reference:** KG- *Use of School Facilities*  
JIC – *District-Wide Student Code of Conduct*  
JFCH – *Student Drug, Alcohol, and Tobacco/Electronic Smoking Device Use*  
KJ – *Advertising in the Schools*

**Adopted** by the WOCSD School Committee: 12/04/85

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12/2/15, 02/05/2020