

**TOBACCO PRODUCTS BAN
USE AND POSSESSION IN AND ON SCHOOL FACILITIES AND GROUNDS**

**Use of Tobacco Products Strictly Prohibited
In/On all School Facilities and/or Grounds**

State law prohibits the use of any tobacco product, E-cigarette, or liquid nicotine in any facility or upon any grounds maintained by the District. Students and minors are further prohibited from possessing such items in or upon any facility, school vehicle, or grounds owned or maintained by the District

A. Definitions.

“Tobacco product(s)” means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, smokeless cigarettes, products containing tobacco, and tobacco in any other form, as well as any other product or item included in RSA 126-K:2, XI as the same may be amended or replaced from time-to-time.

“E-cigarette” means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that provides a vapor of pure nicotine mixed with propylene glycol to the user as the user simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, under any other product name as well as any other product or item included in RSA 126-K:2, II-a as the same may be amended or replaced from time-to-time.

“Liquid Nicotine” means any liquid product composed either in whole or in part of pure nicotine and propylene glycol and manufactured for use with e-cigarettes, as well as any other product or item included in RSA 126-K:2, III-a as the same may be amended or replaced from time-to-time.

“Facility” is any place which is supported by public funds and which is used for the instruction of students enrolled in preschool programs and in all grades maintained by the District. This definition shall include all administrative buildings and offices and areas within facilities supportive of instruction and subject to educational administration, including, but not limited to, lounge areas, passageways, rest rooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, libraries, and storage areas.

Signs shall be placed by the District in all buildings, facilities and school vehicles stating that the use of tobacco products is prohibited.

B. Students

No student shall purchase, attempt to purchase, possess, or use any tobacco product, e-cigarette, or liquid nicotine in any facility, in any school vehicle or anywhere on school grounds maintained by the District.

Enforcement of this prohibition shall initially rest with building principals, or their designees, who may report any violation to the local police department. In accordance, with state law, the police department shall be responsible for all proceedings and applicable fines and penalties.

The principal will develop regulations which cover disciplinary action to be taken for violations of this policy. These regulations will be communicated to students by means deemed appropriate by the principal. In addition to disciplinary actions taken by the school, criminal penalties for fines may result from violations of this policy.

C. Employees

No employee shall use any tobacco product, e-cigarette, or liquid nicotine, in any facility, in any school vehicle or anywhere on school grounds maintained by the District.

Initial responsibility for enforcement of this prohibition shall rest with building principals, or their designees. Any employee(s) who violate(s) this policy is subject to disciplinary action which may include warning, suspension or dismissal. Violations may also be referred to appropriate law enforcement and/or other appropriate agencies for criminal or other proceedings as provided under state law. The principal may report violations to the local police department. In accordance with state law, the police department shall be responsible for all proceedings and applicable fines and penalties.

D. All Other Persons

No visitor, contractor, vendor or other member of the public, shall use any tobacco product, E-cigarette, or liquid nicotine in any facility, in any school vehicle, or anywhere on school grounds maintained by the District.

The building principal(s), and where appropriate, other site supervisor (athletic director, vehicle driver, etc.), or their designee(s), shall have the initial responsibility to enforce this section by requesting that any person who is violating this policy to immediately cease the use of tobacco products, E-cigarettes or liquid nicotine. After this

request is made, if any person refuses to refrain from using such products in violation of this policy, the principal, site supervisor, or designee may call the local police who shall then be responsible for all enforcement proceedings and applicable fines and penalties.

E. Implementation and Notice - Administrative Rules and Procedures.

The Superintendent shall establish administrative rules and procedures to implement this policy, which rules and procedures may be building level and/or district-wide. Rules and procedures relating to student violations and resulting disciplinary consequences should be developed in consultation with building principal(s).

The Superintendent, working with the building principal(s), shall provide annual notice to employees, students, and parents of the pertinent provisions of this policy (e.g. student or staff handbook) along with applicable administrative regulations and procedures, which may include prescribed consequences for violations of this policy. Such notice should include information that violation of this Policy could lead to criminal or other such proceedings.

Statutory References:

RSA 155:64 - 77, Indoor Smoking Act

RSA 126 - K:6, Possession and Use of Tobacco Products by Minors

RSA 126 K:7, Use of Tobacco Products on Public Educational Grounds Prohibited

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