



Policy Title & Number	419 - Tobacco-Free Environment
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Date Created:	May 4, 2018
Past Policy Revision Date(s):	Reviewed August 2018
Related Policy(ies):	
Policy Type (Operating, Board)	Operating

A. Purpose

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

B. Definitions

TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

A. “Electronic cigarette” means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under another product name or descriptor.

B. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.

C. “Tobacco-related devices” means cigarette papers or pipes for smoking.

D. “Smoking,” means inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation.

C. Policy Statement

POLICY

A. A violation of this policy occurs when any person smokes or uses tobacco, tobacco-related devices, or electronic cigarettes in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all TrekNorth property and all off-campus events sponsored by the District.

B. A violation of this policy occurs when any student possesses any type of tobacco, tobacco-related device, or electronic cigarette in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that TrekNorth owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all TrekNorth property and all off-campus events sponsored by the TrekNorth.

C. Treknorth will act to enforce this policy and to discipline or take appropriate action against any person who is found to have violated this policy.

D. TrekNorth will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, devices, or electronic cigarettes. TrekNorth will not promote or allow promotion of tobacco products or e-cigarettes on school property or at school-sponsored events.

EXCEPTIONS

A. A violation of this policy does not occur when an American Indian adult lights tobacco on District property as a part of a traditional American Indian spiritual or cultural ceremony. An American Indian is a person who is a member of an American Indian tribe as defined under Minnesota law.

B. A violation of this policy does not occur when an adult non-student possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

ENFORCEMENT

A. All individuals on school premises shall adhere to this policy.

B. Students who violate this tobacco-free policy shall be subject to TrekNorth discipline procedures.

- C. TrekNorth administrators and other school personnel who violate this tobacco-free policy shall be subject to District discipline procedures.
- D. TrekNorth action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other TrekNorth supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval by the Director.

D. Associated Procedures or Other Information

E. Associated Forms

Legal References: Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act) Minn. Stat. § 609.685 (Sale of Tobacco to Children) 2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline) MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities and Behavior