### Swan River Montessori Charter School

Adopted: 2005

Reviewed: 10.23.18

# **Tobacco-Free Environment Policy**

# **PURPOSE**

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

## **GENERAL STATEMENT OF POLICY**

- A. It shall be a violation of this policy for any student, teacher, administrator, other school personnel of the school district or person to use tobacco or tobacco-related devices in a public school. The prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. It shall be a violation of this policy for any student to possess any type of tobacco or tobacco-related device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

## TOBACCO AND TOBACCO RELATED DEVICES DEFINED

- A. "Tobacco" means cigarettes; E-cigarette liquids/vapors/aerosols, 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 chewing tobacco; shorts; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or other tobacco-related devices.
- B. "Tobacco-related devices" means cigarette papers, pipes for smoking, or E-cigarettes or any other type of personal vaporizers.

#### **FXCFPTION**

It shall not be a violation of this policy for an Indian adult to light tobacco on school property as part of a traditional Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.

### **ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with Minnesota state and federal laws and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district 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 is a petty misdemeanor. A court injunction may be instituted against a repeated violator.

## **DISSEMINATION OF POLICY**

- A. This policy shall be referenced and explained in the Swan River Montessori Charter School Parent Handbook and Employee Handbook.
- B. The school district will develop a method of distributing this policy with students and employees.

Legal References: Minn. Stat. § 144.413, Subd. 4 (Definitions)

Minn. Stat. § 144.4165 (Tobacco Products Prohibited in Public Schools) Minn. Stat. § 144.417 (Commissioner of Health, Enforcement, Penalties)

Minn. Stat. § 609.685 (Sale of Tobacco to Children)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of

School District Employees)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities, and

**Behavior** 

**SRMCS Student Discipline Policy**