

Technical Academies of Minnesota

Adopted: Orig. 6/23/2013

Revised: 8/25/2020

404 TOBACCO-FREE ENVIRONMENT

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. It shall be a violation of this policy for any District student, staff, or other school personnel of the District or person to use tobacco or tobacco-related devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a District owns, leases, rents, contracts for, or controls. This prohibition includes all District property and all off-campus events sponsored by the District.
- B. It shall be a violation of this policy for any District 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 a District owns, leases, rents, contracts for, or controls. This prohibition includes all District property and all off-campus events sponsored by the District.
- C. The 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.

III. TOBACCO AND TOBACCO RELATED DEVICES DEFINED

- A. "Tobacco" means cigarettes; 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, 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 or pipes for smoking.
- C. E-cigs and vapes, defined as the action or practice of inhaling and exhaling the vapor produced by an electronic cigarette or similar device.
- D. "Smoking" includes carrying a lit cigar, cigarette, pipe, or any other lit smoking equipment

including e-cigs and vapes.

IV. EXCEPTION

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

V. ENFORCEMENT

- A. All individuals on District premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to District discipline procedures.
- C. District staff who violate this tobacco-free policy shall be subject to District discipline procedures.
- D. District action taken for violation of this policy will be consistent with requirements of applicable Minnesota or federal law and District policies.
- E. Persons who violate this tobacco-free policy may be referred to the Convener or personnel responsible for the area or program at which the violation occurred.
- F. District staff 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.

VI. DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.
- B. The District will develop a method of discussing 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