

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

No person shall use any tobacco product in any facility maintained by the school district, nor on any of the grounds of the school district.

Tobacco products mean cigarettes, cigars, snuff, smokeless tobacco, smokeless cigarettes, products containing tobacco, and tobacco in any other form.

"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, 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.

It is the responsibility of the superintendent, building administrator(s), and/or designee, to initially enforce this policy by requesting that any person who is violating this policy to immediately cease the use of tobacco products. After this request is made, if any person refuses to refrain from using tobacco products in violation of this policy, the superintendent, the building administrator, or designee may call the local police who shall then be responsible for all enforcement proceedings and applicable fines and penalties.

Students

No student shall purchase, attempt to purchase, possess, distribute, or use any tobacco product in any facility, in any school vehicle, or anywhere on school grounds maintained by the district.

Enforcement of this prohibition shall initially rest with the building administrator(s) or his/her designee, who may report any violation to the local police department. The police department, in accordance with state law, shall be responsible for all proceedings and applicable fines and penalties.

The building administrator will develop regulations that cover disciplinary action to be taken for violations of this policy. These regulations will be communicated to students by means deemed appropriate by the building



administrator. In addition to disciplinary actions taken by the school, criminal penalties including fines may result from violations of this policy.

Employees and All Other Persons

No person shall use any tobacco product 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 the building administrator(s) or his/her designees. The building administrator will develop and implement the appropriate means of notifying employees of the possible disciplinary consequences of violating this policy. Any employee(s) who violate(s) this policy is (are) subject to disciplinary action to be recorded in the employee's personnel file and, which may include a warning, suspension, or dismissal. In addition, fines or other penalties may result from enforcement of these prohibitions by law enforcement officials. The police department, in accordance with state law, shall be responsible for all proceedings and applicable fines and penalties.

Legal References:

RSA 155:64–77, *Indoor Smoking Act*

RSA 126-K:6, *Possession and Use of Tobacco Products, E-cigarettes, or Liquid Nicotine by Minors*

RSA 126-K:7, *Use of Tobacco Products, E-cigarettes, or Liquid Nicotine on Public Educational Grounds Prohibited*

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Reviewed 2010

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