

414.00 TOBACCO-FREE ENVIRONMENT

PURPOSE

Saint Paul Public Schools provides an environment free from tobacco and tobacco-related products and devices to comply with the law and protect the health of our students, employees and others in District facilities, on District grounds, and at District activities.

DEFINITIONS

1. "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, including but not limited to: 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.
2. "Nicotine delivery product" 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 electronic cigarettes (e-cigarettes), e-cigars, e-pipes, or under another product name or descriptor.
3. "Use" includes smoking, chewing or otherwise ingesting tobacco or related chemicals .
4. "Smoking" includes 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.
5. "Tobacco-related devices" includes but is not limited to cigarette papers and pipes for smoking.

PROHIBITION

1. No person shall use tobacco or tobacco-related devices in any indoor area or on any grounds or property that is owned, leased or contracted for by the school district. This prohibition extends to all facilities, whether owned, rented or leased, and to all vehicles that the school district owns, leases, rents, contracts for or controls. This prohibition extends to all events and activities sponsored by the Saint Paul Public Schools.
2. No student under age 18 shall possess tobacco, tobacco-related devices, or nicotine delivery products in or on any grounds or property that is owned,

leased or contracted for by the school district. This prohibition extends to all facilities, whether owned or leased, and to all vehicles that the school district owns, leases, rents, contracts for, or controls. This prohibition extends to all events and activities sponsored by the Saint Paul Public Schools.

3. The District will not solicit or accept any contributions or gifts of curriculum, materials, or equipment from companies that manufacture and are identified with tobacco or tobacco-related devices, or nicotine delivery products.
4. The school district will not promote or allow promotion of tobacco products, tobacco-related devices or nicotine delivery products on school property or at school-sponsored events.

EXCEPTIONS

It shall not be a violation of this policy when:

1. An American Indian offers tobacco on school 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.
2. An individual possesses, in compliance with the district's Medications/Medical Procedures policy, a product or device 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

1. Students who violate this tobacco-free policy shall be subject to school district disciplinary procedures.
2. School district personnel, including contractors, and school board members who violate this tobacco-free policy shall be subject to applicable discipline procedures.
3. School district 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.

LEGAL REFERENCES:

- Minn. Stat. § 144.413 (Definitions)
- Minn. Stat. § 144.4165 (Tobacco Products Prohibited in Public Schools)
- Minn. Stat. § 144.4167 (Permitted Smoking)
- Minn. Stat. § 144.417 (Commissioner of Health, Enforcement, Penalties)
- Minn. Stat. § 609.685 (Sale of Tobacco to Children)
- Minn. Stat. § 609.6855 (Sale of Nicotine Delivery Products to Children)

CROSS REFERENCES:

Policy 413.00,	Drug-Free Workplace
Policy 504.00,	Drug-Free Schools
Policy 506.00,	Student Discipline; Student Behavior Handbook
Policy 516.00,	Medications/Medical Procedures
Policy 706.00,	Grants and Gifts
Policy 716.00,	Advertising in the Schools