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*Revised:*

3/2/1987

*Saint Paul Public Schools Policy*

414.00

8/1/1988; 6/17/2008; 11/13/12; 6/18/2019

## **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 School District facilities, on School District grounds, and at School 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. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified 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 marketed and sold for such an approved purpose.
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 and the inhaling and exhaling of vapor from any electronic device.
5. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

### **PROHIBITION**

1. No person shall use tobacco, tobacco-related devices or electronic delivery 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, including vehicles used, in whole or in part, for school purposes during hours of school operation, if more than one person is present. This prohibition extends to all events and activities sponsored by the Saint Paul Public Schools.

2. No person under age 18 shall possess tobacco, tobacco-related devices, or electronic delivery devices 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 School District will not solicit or accept any contributions or gifts of curriculum, materials, or equipment from companies that manufacture and are identified with tobacco, tobacco-related devices, or electronic delivery devices.
4. The School District will not promote or allow promotion of tobacco products, tobacco-related devices or electronic delivery devices on school property or at school-sponsored events.

### **EXCEPTIONS**

It shall not be a violation of this policy when:

1. An American Indian lights 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 School 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