

## **SMOKING AND POSSESSION OF TOBACCO PRODUCTS/ELECTRONIC SMOKING DEVICES**

Maine law prohibits smoking and possession of tobacco products/electronic smoking devices in elementary and secondary school buildings and on school grounds, on school buses or at any school-sponsored event at any time.

1. All persons, including students, staff and visitors, are prohibited from the following:
  - A. Smoking** includes carrying or having in one's possession a lighted or heated cigarette, cigar or pipe, or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or form. Smoking includes the use of an electronic smoking device.
  - B. Electronic smoking devices** includes a device used to deliver nicotine or any other substances that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, but not limited to a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic pipe, electronic hookah or vape pen.
  - C. Carrying or having in one's possession a tobacco product.**
    - a. Tobacco product includes any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, a hookah, pipe tobacco, chewing tobacco, snuff or snus. This also includes filters, rolling papers, pipes and liquids used in electronic smoking devices, whether or not they contain nicotine.
2. These policies shall be enforced by building administrators and the Executive Director or designee, in accordance with policy ADC-R.
3. Maine law also prohibits employees or other individuals over the age of 21 from furnishing tobacco products in any manner (including but not limited to giving, selling or delivering) to minors; or allowing a minor under such individuals' control to possess or consume a tobacco product.

Legal Reference:       22 MRSA §§ 1578(B), 1580(A)(3)  
                              Me. PL 470 (An Act to Reduce Tobacco Use By Minors)  
                              20 USC 6081-6084 (Pro-Children Act of 1994)

**Approved: October 17, 2020**