

MINNETONKA SCHOOL DISTRICT

Policy #419: Tobacco-free Environment

I. PURPOSE

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

1.0 **PHILOSOPHY:** The School Board believes a tobacco-free school environment should be provided for all students, employees, and patrons. A five point rationale underlies this tobacco-free policy. See Addendum "A" for more detail:

1.1 Health Rationale: The District is committed to the promotion of good health for all students and employees.

1.2 Productivity Rationale: The District is committed to a more effective, economical operating organization.

1.3 Educational Rationale: The District is committed to a more consistent united health education program for students.

1.4 Community Rationale: The District is committed to community wellness and accepts a shared responsibility as a public institution. This commitment follows the lead taken by the State of Minnesota in two laws: 1975 Minnesota Clean Indoor Air Act and 1985 Omnibus Non-Smoking and Disease Prevention Act. It also is consistent with statements by the United States Surgeon General.

1.5 General Wellness Rationale: The District ~~276~~ is committed to personal wellness and personal life management.

2.0 **BASIC PHILOSOPHY:** The Minnetonka School District shall provide a tobacco-free environment for all students, employees, and patrons.

2.1 A tobacco-free environment is defined as “no use of any tobacco products in any form.”

2.2 The definition of tobacco-free is inclusive of facsimile tobacco products. The possession, distribution, or use of facsimile tobacco products will be addressed in the same manner as actual tobacco products.

2.3 The tobacco-free environment in the Minnetonka School District shall apply in all school-owned buildings and grounds, leased or owned, and within all School-District owned, leased, or contracted vehicles. Moreover, District sponsored

activities such as field trips, wherever they occur, are encompassed within the tobacco-free policy.

II. GENERAL STATEMENT OF POLICY

- A. It shall be a violation of this policy for any student, teacher, administrator, other school personnel of the School 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 School District owns, leases, rents, contracts for, or controls. This prohibition includes all School District property and all off-campus events sponsored by the School District.
- B. It shall be a violation of this policy for any elementary school, middle school, or secondary school 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 School District owns, leases, rents, contracts for, or controls. This prohibition includes all School District property and all off-campus events sponsored by the School District.
- C. The School 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. “Smoking” includes carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment.

IV. EXCEPTION

It shall not be a violation of this policy for an Indian adult to light tobacco on School District property as a part of a traditional Indian spiritual or cultural ceremony. An Indian 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 School District

discipline procedures.

- C. School District administrators and other school personnel who violate this tobacco-free policy shall be subject to School District discipline procedures.
- D. 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.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other School District supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators 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. HELP PROGRAMS:

The District shall maintain a list of tobacco-free help programs which are available in the metropolitan area. Criteria by which such programs can be evaluated are found in Addendum "B". Furthermore, the Minnetonka School District will be proactive in help programs. More than one avenue of help will be made available for the convenience and preference of the employee. Also, following reinforcement theory, the District will provide some financial assistance up front for costs associated with tobacco-free programs and will provide additional reimbursement for said charges following six months of tobacco-free living.

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in student handbooks.
- B. The School District will develop a method of discussing this policy with students and employees.

VIII. FOLLOW-THROUGH:

- A. The Administration is responsible for the development and implementation of a Communication Plan so this policy might become known to employees and all others who use school buildings, grounds, and vehicles.
- B. Further, the Administration shall adopt procedures to ensure follow-through compliance with the intent of the policy, using progressive disciplinary sanctions that are consistent with Minnesota Statutes, Master Agreement Contracts, and Board Policies.

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: Policy #417: Chemical Use Policy
Policy #506: Student Discipline
MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities and Behavior

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