

EUT POLICY ON TOBACCO USE AND POSSESSION

In order to promote the health and safety of students, staff, and visitors, and in compliance with applicable state and federal laws, the EUT prohibits smoking and all other use of tobacco products in school buildings and other school unit facilities, on school buses, and on school grounds at all times by all persons.

In addition, students are further prohibited from possessing, selling, distributing, or dispensing tobacco products in school buildings, facilities and on school grounds and buses during school sponsored events and at all other times.

Employees and all other persons are also strictly prohibited, under law and State policy, from selling, distributing or in any way dispensing tobacco products to students.

All of these same prohibitions shall apply to electronic cigarettes and other devices used to simulate smoking.

Legal Reference: 22 MRSA §§ 1578(B), 1580(A)(3)

Me. PL 470 (An Act to Reduce Tobacco Use By Minors)

20 USC 60816084 (ProChildren Act of 1994)

FROM STATE OF MAINE STATUTE- for reference only

§1578-B. Tobacco use in elementary and secondary schools prohibited

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Elementary or secondary school" means any public elementary or secondary school approved in accordance with Title 20-A, chapter 206, subchapter I. [PL 1987, c. 687 (NEW).]

B. "Principal" has the same meaning as defined in [Title 20-A, section 1, subsection 21](#). [PL 1987, c. 687 (NEW).]

C. [PL 2019, c. 61, §1 (RP).]

D. "Tobacco use" means:

(1) Smoking as defined in [section 1541, subsection 6](#); and

(2) Carrying or having in one's possession a tobacco product as defined in [section 1551, subsection 3](#). [PL 2019, c. 61, §2 (RPR).]

[PL 2019, c. 61, §§1, 2 (AMD).]

2. Prohibition. A person may not engage in tobacco use in the buildings or on the grounds of any elementary or secondary school, on a school bus or at any school-sponsored event at any time. [PL 2019, c. 61, §3 (RPR).]

§1541. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 342, §1 (NEW); PL 1993, c. 342, §9 (AFF).]

1. Designated smoking area. "Designated smoking area" means an enclosed area designated as a place for smoking. A designated area must be designed to prevent smoke escaping from the designated area into a public place.

[PL 2005, c. 257, §1 (AMD).]

1-A. Electronic smoking device. "Electronic smoking device" means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.

[PL 2015, c. 318, §1 (NEW).]

6. Smoking. "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 in any form. "Smoking" includes the use of an electronic smoking device.