



5220

Tobacco Use, Student

Policy 5220

Original Adoption: 04/11/1989

Effective Date: 12/14/2014

Revision Dates: 05/22/2007, 08/26/2008

Review Dates: 07/18/2012 ; 12/13/2014

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. It shall be a violation of this policy for any student to smoke, vape, use an electronic cigarette or device, or use tobacco or tobacco-related devices in a public school.
- 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, electronic cigarette or tobacco-related device in a public school or public school facility, including vehicles.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student who is found to have violated this policy.
- D. No student shall be penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

III. EXCEPTION

- A. It shall not be a violation of this policy for an American Indian adult to light tobacco in a public school as a part of a traditional Indian spiritual or cultural ceremony, or to carry a small amount of tobacco in a bag designated for spiritual or cultural ceremonial support.
- B. It shall not be a violation of this policy for an American Indian student to carry a small amount of tobacco in a bag designated for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and after notice to the site administrator or principal.

IV. REGULATION

The superintendent may make regulations necessary and reasonable to implement this policy and its enforcement.

Legal References:

Minn. Stat. § 144.411 et seq. (Minnesota Clean Indoor Air Act and Minnesota Freedom to Breathe Act)

Minn. Stat. § 144.4165 (Tobacco Products Prohibited in Public Schools)



Cross References:

MPS Policy 4020 (Tobacco Use, Non-Student)

MPS Regulation 4020 A (Definitions: Tobacco Use, Non-Student)

MPS Regulation 5220 A (Definitions: Tobacco Use, Student)