



# 4020 A

## Definitions: Tobacco Use, Non-Student

### *Regulation 4020 A*

Original Adoption: 05/22/07

Revision Dates: 08/26/2008

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### **I. PURPOSE**

The purpose of this regulation is to define those terms used in Policy 4020 and its regulations.

### **II. DEFINITIONS**

- A. “American Indian” means a person who is a member of an American Indian tribe as defined under Minnesota law.
- B. “electronic cigarette”, “e-cigarette” or “electronic device” means any device 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 device. It includes any component part of such a device, whether or not marketed or sold separately, including liquid supplies for use in such a device. It does not include any product that has been approved or certified by the United States Food and sale as tobacco-cessation product, as a tobacco-dependence product or for other medical purposes, and is marketed and sold for such an approved purpose.
- C. “In a public school” or “public school facility” or “vehicle” means all school district facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- D. “Tobacco” means cigarettes; cigars; and other smoking tobacco; snuff; plug and twist tobacco; and other chewing tobacco; and other kinds and forms of tobacco as defined by Minnesota law, prepared in such manner as to be suitable for chewing or smoking in a pipe or other tobacco-related devices.
- E. “Tobacco-related devices” means cigarette papers or pipes for smoking.
- F. “Small amount” shall mean less than one ounce.
- G. “Smoking” means inhaling 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..



- H. “Vaping” means the use of electronic cigarettes, e-cigarettes or electronic delivery devices for inhaling or exhaling vapor or mist or carrying an actively working electronic cigarette.

***Legal References:***

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

Minn. Stat. § 144.413, Subd. 4 (Definitions)

Minn. Stat. § 144.4165 (Tobacco Products prohibited in public schools)

Minn. Stat. § 609.685 (Sale of Tobacco to Children)

Minn. Stat. § 260.755, Subd. 12 (Minnesota Indian Family Preservation Act: definitions)

***Cross References:***

MPS Policy 5220: Tobacco Use, Students