

Policy 3513.3: Tobacco-Free Schools

Status: ADOPTED

Original Adopted Date: 03/21/2018 | **Last Reviewed Date:** 03/21/2018

The Board of Education recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals to provide a healthy environment for students and staff.

The Board prohibits smoking and/or the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420, 104559)

These prohibitions apply to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

Tobacco products include: (Business and Professions Code 22950.5; Education Code 48901)

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah
3. Any component, part, or accessory of a tobacco product, whether or not sold separately

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. (Health and Safety Code 104495)

Regulation 3513.3: Tobacco-Free Schools

Status: ADOPTED

Original Adopted Date: 03/21/2018 | Last Reviewed Date: 03/21/2018

Rationale for Adopting a Tobacco Free Schools Policy

Tobacco use, including smoking and the breathing of second-hand smoke, is incompatible with the goal of public education to provide a safe and healthy learning environment. This prohibition will provide the following benefits:

Educational Benefits - will support existing prevention education efforts, policies, and curriculum; adult role models will offer a consistent message that tobacco use in any form is unhealthy.

Health Benefits - will provide a healthier environment for students, staff, and community; will eliminate the possibility of health consequences associated with secondhand smoke (while at school) and lessen the risk of related illnesses for those who quit or reduce their tobacco use.

Economic Benefits - will reduce medical cost and lost wages caused by health problems related to tobacco use.

The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of both tobacco users and non-users. All individuals on school premises share in the responsibility for adhering to and enforcing this policy.

Employee Notification and Enforcement Procedures

The Superintendent or designee shall notify employees of the district's tobacco-free schools policy. The notification shall also inform them of:

1. Their need to abide by district policy as a condition of employment.
2. The dangers of tobacco use in the workplace, including its threat to the health and safety of employees, students and the public.
3. Available resources which may help employees stop using tobacco.
4. Disciplinary actions, in accordance with Board policy, state law and applicable collective bargaining agreements, shall be progressive in nature.

Community Notification and Enforcement Procedures

Signs prohibiting the use of tobacco shall be prominently displayed at all entrances to school property. The district's tobacco-free schools policy will also be announced at events which include public attendance.

Community members who smoke on district property shall be informed of the district's tobacco-free school policy and asked to refrain from smoking. If the person fails to comply with this request, the following action may ensue:

1. The matter may be referred to the Superintendent or designee responsible for the area or the event.
 2. If the person fails to refrain when so requested by the Superintendent or designee, the Superintendent or designee may direct him/her to leave school property.
 3. If necessary, the Superintendent or designee may request local law enforcement assistance in removing the person from school premises.
 4. When individuals repeatedly violate the tobacco-free school policy, the Superintendent or designee may prohibit them from entering district property for a specified period of time.
-