

TOBACCO-FREE SCHOOLS

The Governing Board recognizes the health hazards associated with tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff. Employees are encouraged to serve as models for good health practices that are consistent with the district's instructional programs.

In accordance with state and federal law, smoking is prohibited in all district facilities and vehicles. (20 USC 6083; Labor Code 6404.5)

(cf. 5131.62 - Tobacco)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board further prohibits the use of tobacco products at all times on district grounds. This prohibition applies to all employees, students and visitors at any activity or athletic event on property owned, leased or rented by or from the district.

The Superintendent or designee shall inform students, parents/guardians, employees and the public about this policy and related procedures.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Signs prohibiting the use of tobacco shall be prominently displayed at all entrances to school property.

The Superintendent or designee shall maintain a list of clinics and other resources which may assist individuals who wish to stop using tobacco products.

(cf. 4159/4259/4359 - Employee Assistance Programs)

Legal Reference:

EDUCATION CODE

48901 Smoking or use of tobacco; steps to discourage

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104420 Implementation of tobacco use prevention program

LABOR CODE

6404.5 Occupational safety and health: use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

COURT DECISIONS

Eureka Teachers Assn v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989)

PERB Order #750 (13 PERC 20147)

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Employee Notifications

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. Possible disciplinary actions in accordance with Board policy, state law and applicable collective bargaining agreements.

Enforcement Procedures for Visitors

A visitor who smokes on district property shall be informed of the district's tobacco-free schools policy and asked to refrain from smoking. If the person fails to comply with this request, the following actions may ensue:

1. The matter may be referred to the Superintendent or designee responsible for the area or the event.
2. The Superintendent or designee may direct the person 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. If the person repeatedly violates the tobacco-free schools policy, the Superintendent or designee may prohibit him/her from entering district property for a specified period of time.

(cf. 3515.2 - Disruptions)