

Policy 3513.3: Tobacco-Free Schools

Status: ADOPTED

Original Adopted Date: 08/11/1993 | **Last Revised Date:** 04/22/2015

The Governing Board recognizes the ~~that smoking and other uses of tobacco and nicotine products constitute a serious public health hazards associated~~ **hazard and are inconsistent** with the use of tobacco products, including the breathing of secondhand smoke, and desires **District goals** 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~~ **The Board prohibits smoking** and federal law, ~~/or the~~ use of tobacco products and the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products is prohibited at all times **any time in District-owned or leased buildings**, on all District property, and in District vehicles at all times. (20 U.S.C. 6083, Labor. (**Health and Safety Code 6404.5104420, 104559**))

~~ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin.~~

~~This prohibition applies~~ **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.

~~{cf. 1330 – Use of School Facilities}~~

~~{cf. 1330.1 – Joint Use Agreements}~~

~~The supervising administrators at each site shall inform students, parents/guardians, employees, and the public about this policy and related procedures.~~

~~{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.~~

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)