

Regulation 3513.3: Tobacco-Free Schools

Status: ADOPTED

Original Adopted Date: 07/01/1995 | Last Revised Date: 04/22/2015

Employee ***Notifications***

The supervising administrators at each site shall notify employees of the district's tobacco-free schools policy, including 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 and 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. 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.

Information about the District's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

The Superintendent or designee may disseminate this information through annual written notifications, District and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

The Superintendent or designee shall ensure that signs stating "Tobacco use is prohibited" are prominently displayed at all entrances to school property. (Health and Safety Code 104420, 104559)

Enforcement Procedures for Visitors/Discipline

A visitor ***Any employee or student who*** uses any tobacco product on district property ***violates the District's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.***

Any other person who violates the District's policy on tobacco-free schools shall be informed of the District's tobacco-free schools policy and asked to refrain from any tobacco use, including the use of 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 and 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. ***smoking.*** If the person fails to comply with this request, the following actions ***Superintendent or designee*** may ensure:

~~1. The matter may be referred to the administrator responsible for the area or the event.~~

~~1. 2. The administrator may direct~~ **Direct** the person to leave school property.

~~3. If necessary, the administrator may request~~

2. **Request** local law enforcement assistance in removing the person from school premises.

~~4.~~

3. If the person repeatedly violates the tobacco-free schools policy, ~~the administrator may prohibit him/her from entering District property for a specified period of time.~~

~~(cf. 3515.2—Disruptions)~~ ***The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the District or any employee. (Labor Code 6404.5)***