

Business and Noninstructional Operations

Tobacco-Free Schools and Work Locations

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, visitors, and other persons at any school-sponsored instructional program, activity or athletic event 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

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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)

Legal Reference: Education Code, Sections: 48900; 48901
Business and Professions Code Section: 22950.5
Health and Safety Code, Sections: 39002; 104350-1104495; 104495;
104559; 119405
Labor Code Sections: 3300; 6304; 6404.5
United States Code, Title 20 Sections: 6083; 7111-7122
Code of Federal Regulations, Title 21 Sections: 1140.1-1140.34

Policy Adopted: 06/30/1992
Policy Amended: 02/07/1995; 02/04/2003; 09/01/2015; 03/06/2018

Formerly BP 4015, BP 5131.6