

TOBACCO-FREE SCHOOLS/SMOKING

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. As required by law, the district provides instructional programs designed to discourage students from using tobacco products. District employees are expected to serve as models for good health practices that are consistent with these instructional programs.

(cf. 5131.62 - Tobacco)
(cf. 6143 - Courses of Study)

In the best interests of students, employees and the general public, the Governing Board therefore prohibits the use of tobacco products at all times on district property and in district vehicles. This prohibition applies to all employees, students, visitors and other persons at any school or school-sponsored activity or athletic event. It applies to any meeting on any 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. All individuals on district premises share in the responsibility of adhering to this policy and informing appropriate school officials of any violations.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

(cf. 4159 - Employee Assistance Programs)

Legal Reference:

EDUCATION CODE

48901 Smoking or use of tobacco; steps to discourage

HEALTH AND SAFETY CODE

24167 Implementation of tobacco use prevention program

39002 Control of air pollution from nonvehicular sources

PERB RULINGS

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

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

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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 athletic events.

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 Community Members

Community members who smoke 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. 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 schools policy, the Superintendent or designee may prohibit them from entering district property for a specified period of time.

(cf. 3515.2 - Disruptions)