
Tobacco-Free Schools Policy 3-204

Scope:

This policy applies 24 hours per day, 7 days per week to all students, staff, parents, visitors, contractors, and community members on or in:

- All District-owned, leased, or rented buildings, grounds, parking lots, playgrounds, fields, and vehicles
- All school-sponsored activities, whether held on or off District property
- Any facility or property used for District programs, including those under joint-use agreements

Policy Statement

The use, possession, display, or sale of any tobacco, nicotine, or nicotine-delivery product is prohibited at all times. Prohibited products include, but are not limited to:

- Cigarettes, cigars, chewing tobacco, snuff
- Electronic cigarettes, vape pens, pods or cartridges
- Any synthetic or non-synthetic nicotine product
- Look-alike or imitation tobacco products

No exceptions shall be made for ceremonial, cultural, or recreational use. No designated smoking areas shall be established on any District property.

1. Definitions

- **Tobacco Products:** As defined in Health and Safety Code section 104495 and Education Code section 48901.5, including all nicotine-delivery devices, regardless of nicotine content.

Adopted on:

Revised on: N/A

Purpose

The District maintains a strict tobacco-free environment to protect the health and safety of students, staff, and the community. State law requires school districts receiving Tobacco-Use Prevention Education (TUPE) funding to adopt and enforce a tobacco-free schools policy consistent with the California Tobacco-Free Schools Initiative. This Policy establishes the rules, Responsibilities, and enforcement procedure necessary for compliance with Education Code section 104420, the California Health and Safety Code, and guidance issued by the California Department of Education.

- **District Property:** Any property owned, leased, rented, or controlled by the District, including vehicles.
- **School-Sponsored Activity:** Any activity authorized, supervised, or financially supported by the District.

2. Responsibilities

- **Superintendent or Designee**
 - Implement and enforce this policy and accompanying regulation.
 - Maintain required documentation for CDE Tobacco-Free School District Certification.
 - Provide ongoing staff training and student/parent communication.
 - Ensure signage is posted at all school entrances and District facilities.
 - Submit required certifications to the County Office of Education.

3. Employees

- Follow enforcement procedures and report violations.
- Refrain from using or possessing any prohibited product on District property or during District duties.

4. Students

- Comply with all rules and may be subject to discipline under Education Code sections 48900 and 48901 for violations.

Administrative Regulations

1. Enforcement Procedures

- **Students**
 - Violations shall be addressed through progressive discipline, consistent with Education Code sections 48900–48915.
 - Students shall be referred to cessation support services when available.
- **Employees**
 - Violations may result in corrective action or discipline pursuant to Board policy, collective bargaining agreements, and applicable law.
- **Visitors & Contractors**
 - Individuals who refuse to comply shall be directed to leave District property.
 - Failure to comply may result in denial of future facility use and, where appropriate, referral to law enforcement.

2. Required Signage

- The District shall post clear, permanent signs at all entrances to school buildings, athletic fields, playgrounds, and parking lots stating:

“Tobacco-Free School District – Use of Tobacco, Nicotine, and Vaping Products is Prohibited at All Times.”

- Signs shall be maintained in good condition and replaced as needed.

3. Communication

- The Superintendent or designee shall ensure the policy is communicated annually through:
 - Student, staff, and parent handbooks
 - Employee training materials
 - District and school websites

- Enrollment packets
- Facility Use Agreements
- Copies of this policy shall be provided to outside groups using District facilities.

4. Staff Training

- All employees assigned enforcement responsibilities shall receive training at least once every two years, including:
 - Legal requirements
 - Identification of prohibited products
 - Enforcement procedures and documentation
 - Referral options for students and staff

5. Cessation Support

- Districts receiving TUPE funds shall provide or refer students and staff to appropriate cessation resources. The District may partner with community agencies, public health departments, or online cessation programs to meet this requirement.

6. Certification Requirements (TUPE)

- To maintain eligibility for TUPE funds:
 - The District shall maintain a compliant tobacco-free schools policy.
 - Required signage must be posted at all school sites.
 - Enforcement procedures must be consistently applied.
 - Documentation of training, communication, and enforcement shall be maintained.
 - The District shall submit the Tobacco-Free School District Certification to the County Office of Education and renew certification every four years or as required.

7. Facility Use

- All groups using District facilities must comply with this policy. Facility-use permits shall include express language prohibiting tobacco and nicotine products and specifying consequences for violations.

Legal References:

Education Code

- §§ 48900, 48901, 48901.5 (student conduct; nicotine products)
- § 104420 (TUPE program requirements; tobacco-free school policy mandate)
- §§ 35145.5, 35147 (public meetings and complaints)

Health & Safety Code

- §§ 104350–104495 (California Tobacco Control Program)
- § 104495 (tobacco products; restrictions)

California Code of Regulations, Title 5

- §§ 302, 514 (student conduct; enforcement authority)

Federal Guidance

- Every Student Succeeds Act (ESSA), Safe and Healthy Students provisions