

Santa Barbara Unified School District

Board Policy

Business and Non-Instructional Operations

BP 3513.3

TOBACCO-FREE SCHOOLS

The Governing Board recognizes that the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 5141.23 - Asthma Management)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board prohibits 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; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students, volunteers and visitors at any school-sponsored instructional program, activity, extracurricular event, school sponsored 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. However, this section does not prohibit the use or possession of prescription products, or other cessation aids such as nicotine patches or nicotine gum. Student use or possession of such products must conform to laws governing student use and possession of medications on school property.”

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

“The Governing Board prohibits the use of products containing tobacco and/or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic nicotine delivery systems, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products any time, in charter school or school district-owned or leased buildings, on school or district property, and in school or district vehicles.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE

48900

Grounds for suspension/expulsion

48901 *Prohibition against tobacco use by students*
HEALTH AND SAFETY CODE
39002 *Control of air pollution from nonvehicular sources*
104350-104495 *Tobacco use prevention, especially:*
104495 *Prohibition of smoking and tobacco waste on playgrounds*
119405 *Unlawful to sell or furnish electronic cigarettes to minors*
LABOR CODE
3300 *Employer, definition*
6304 *Safe and healthful workplace*
6404.5 *Occupational safety and health; use of tobacco products*
UNITED STATES CODE, TITLE 20
6083 *Nonsmoking policy for children's services*
7100-7117 *Safe and Drug Free Schools and Communities Act*
CODE OF FEDERAL REGULATIONS, TITLE 21
1140.1-1140.34 *Unlawful sale of cigarettes and smokeless tobacco to minors*
PERB RULINGS
Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)
CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989)
PERB Order #750 (13 PERC 20147)

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:
<http://www.cde.ca.gov/ls/he/at>
California Department of Education, Tobacco-Free School District Certification:
<http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp>
California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco>
Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>
U.S. Environmental Protection Agency: <http://www.epa.gov>

Policy: SANTA BARBARA UNIFIED SCHOOL DISTRICT
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