

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 3513.3

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

TOBACCO-FREE SCHOOLS

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of secondhand 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.

In the best interests of students, employees and the general public, the Board of Trustees, therefore, prohibits the use of tobacco products at all times on District property and in District vehicles. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This prohibition also applies to 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 at any time. However, this section does not prohibit the use or possession of prescription products, or other FDA approved cessation aids such as nicotine patches or nicotine gum. 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.

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.

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 non-vehicular sources

LABOR CODE

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

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)

Policy Adopted: 02/21/95

Policy Revised: 02/04/14

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TOBACCO-FREE SCHOOLSEmployee Notifications

Signs prohibiting the use of tobacco shall be prominently displayed at all entrances to school property. The Districts tobacco-free schools policy will also be announced at athletic events.

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, student, 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 policy, the Superintendent or designee may prohibit them from entering District property for a specific period of time.

(cf. 3515.2 - Disruptions)