

**Students**

**Tobacco**

The Board of Education recognizes the serious health risks presented by smoking and tobacco use and desires to ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student smoking, possession and use of tobacco products.

**Prohibition Against Smoking and Tobacco Use**

Students shall not possess, smoke, or use tobacco or any product containing tobacco, nicotine, or any plant product intended for inhalation, whether natural or synthetic while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, electronic smoking devices that create aerosol or vapor, and betel.

Students' possession or use of electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus.

**Prevention Instruction**

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12. Such instruction shall

be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

### **Intervention/Cessation Services**

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. Such intervention services shall be provided as an alternative to suspension for tobacco possession.

### **Program Planning**

The district's tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in district schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of district services.

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

The Superintendent or designee also shall coordinate the district's tobacco-use prevention and intervention program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

The Superintendent or designee shall select anti-tobacco programs based on the model program designs identified by the California Department of Education (CDE) and may modify the model to meet district needs.

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which has received funding from the tobacco industry.

### **Program Evaluation**

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy

Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code 104450.

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

Legal References: EDUCATION CODE  
48900 Suspension or expulsion (grounds)  
48900.5 Suspension, limitation on imposition; exception  
489100 Smoking or use of tobacco prohibited  
51202 Instruction in personal and public health and safety  
60041 Instructional materials, portrayal of effects of tobacco use  
HEALTH AND SAFETY CODE  
104350 - 104495 Tobacco use prevention education  
119405 Unlawful to sell or furnish electronic cigarettes to minors  
PENAL CODE  
308 Minimum age for tobacco possession  
CODE OF REGULATIONS, TITLE 17  
6800 Definition, health assessment  
6844 - 6847 Child Health and Disability Prevention program; health assessments  
UNTIED STATES CODE, TITLE 20  
7111 - 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  
BUSINESS AND PROFESSIONS CODE  
22950.5 Stop Tobacco Access to Kids Enforcement Act  
ATTORNEY GENERAL OPINIONS  
88 Ops.Cal.Atty.Gen. 8 (2005)  
MANAGEMENT RESOURCES:  
CALIFORNIA DEPARTMENT OF EDUCATION  
PUBLICATIONS  
TUPE Acceptance of Funds Guidance  
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008  
Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003  
Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000  
WEST ED PUBLICATIONS  
Guidebook for the California Healthy Kids Survey

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Tobacco-Use Prevention

Education: <http://www.cde.ca.gov/Is/he/at/tupe.asp>

California Department of Public Health, Tobacco Control:

<http://www.cdph.ca.gov/programs/tobacco>

California Healthy Kids Resource Center:

<http://www.californiahealthykids.org>

California Healthy Kids Survey: <http://www.wested.org/hks>

Centers for Disease Control and Prevention, Smoking and

Tobacco Use: <http://www.cdc.gov/tobacco>

U.S. Surgeon General: <http://www.surgeongeneral.gov>

Policy

adopted: 11/08/72

revised: 02/03/87

revised: 02/06/96

revised: 06/02/98

revised: 11/19/02

revised: 11/04/03 (technical revision)

revised: 02/16/10

revised: 10/03/11

revised: 02/07/12

revised: 01/12/16

revised: 08/15/17