

## STUDENTS

### Tobacco

The Governing Board recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Superintendent or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco-use prevention education including youth development activities, and intervention and cessation activities and/or referrals.

*(cf. 5141.23 – Asthma Management)*

### Prohibition Against Tobacco Use

Students shall not possess, smoke or use tobacco or any product containing tobacco or nicotine 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, and betel (Education Code 48900, 48901) Students who violate this prohibition shall be subject to disciplinary procedures which may result in suspension from school.

These prohibitions do not include a student's possession or use of his/her own prescription products (Education Code 48900, 48901).

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 5131 – Conduct)*

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited.

These prohibition do not apply to a student's possession or use of his/her own prescription products (Education Code 48900, 48901)

### 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. When appropriate, such intervention services may be provided as an alternative to suspension for tobacco prevention.

*(cf. 1020 – Youth Services)*

*(cf. 5141.6 – School Health Services)*

*(cf. 5146 – Married/Pregnant/Parenting Students)*

*(cf. 6264.2 – Guidance/Counseling Services)*

## Prevention Instruction

The district shall provide developmentally appropriate tobacco-use 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.

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

### *Legal Reference:*

#### *EDUCATION CODE*

*48900 Suspension or expulsion (grounds)*

*48900.5 Suspension, limitation on imposition; exception*

*48901 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 Programs; health assessments*

#### *UNITED 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*

#### *ATTORNEY GENERAL OPINIONS*

*88 Ops. Ca. Atty. Gen. 8 (2005)*

### *Management Resources:*

#### *CDE PUBLICATIONS*

*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*

#### *WEB SITES*

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

*California Department of Education, Tobacco-Use Prevention Education:*

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

*California Department of Public Health, Tobacco Control: <http://cdph.ca.gov/programs/tobacco>*

*California Healthy Kids Resource Center: <http://californiahealthykids.org>*

*Centers for Disease Control and Prevention, Smoking and Tobacco Use: <http://www.cdc.gov/tobacco>*

*U.S. Department of Education: <http://www.ed.gov>*

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

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