**Business and Noninstructional Operations** BP 3513.3

**TOBACCO-FREE SCHOOLS**

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

*(cf. 4159/4259/4359 - Employee Assistance Programs)*

*(cf. 5131.62 - Tobacco)*

In accordance with state and federal law, smoking is prohibited in all College and CareerAdvantage (CCA) Regional Occupational Program facilities and vehicles. (Labor Code 6404.5; 20 USC 6083)

Employees and visitors may not smoke outside on school or CCA grounds.

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*

*LABOR CODE*

*6404.5 Occupational safety and health: use of tobacco products*

*UNITED STATES CODE, TITLE 20*

*6083 Nonsmoking policy for children's services*

*7111-7117 Safe and Drug Free Schools and Communities Act*

*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*

*CDE: http://www.cde.ca.gov*

*California Department of Health Services: http://www.dhs.ca.gov*

*Occupational Safety and Health Standards Board: http://www.dir.ca.gov/OSHSB/oshsb.html*

*Environmental Protection Agency:* [*http://www.epa.gov*](http://www.epa.gov)

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