

**CLASSIFICATION: Business and Noninstructional
Operations****ADOPTED: 6/79
REVISED: 6/11/15
REVIEWED: 5/26/15****SUBJECT: Tobacco-Free Educational Agency****PAGE: 1 of 4**

The use of tobacco products of any kind anytime, anywhere on the grounds and in facilities of the San Diego County Office of Education, and on the grounds and in facilities and vehicles owned or leased by the County Superintendent of Schools is prohibited. All activities or events sponsored by the County Board of Education or the County Superintendent of Schools at off-site locations shall also be subject to this prohibition.

This administrative regulation applies to all employees of the County Superintendent of Schools, students, visitors, and other members of the general public.

Tobacco products are defined as any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and electronic nicotine delivery systems (ENDS) such as electronic cigarettes, electronic hookahs, and other vapor-emitting devices with or without nicotine content, that mimic the use of tobacco products.

The County Superintendent of Schools establishes the measures presented in this administrative regulation to maintain a Tobacco-Free Educational Agency in compliance with Board policy and state and federal laws.

SIGNS

Signs prohibiting the use of tobacco products shall be prominently displayed:

1. At all entrances to San Diego County Office of Education facilities and grounds, and other facilities and grounds owned or leased by the County Superintendent of Schools.
2. Inside facilities of the San Diego County Office of Education and other facilities owned or leased by the County Superintendent of Schools, as appropriate.
3. Inside vehicles owned or leased by the County Superintendent of Schools.

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NOTIFICATIONS

1. Any agreement governing the use of the facilities and/or grounds of the San Diego County Office of Education or facilities or grounds owned or leased by the County Superintendent of Schools shall include a notice of the Tobacco-Free Educational Agency policy.
2. Employees of the County Superintendent of Schools shall be notified of the Tobacco-Free Educational Agency policy upon employment. The notification shall also inform employees of:
 - a. The requirement that employees comply with this policy as a condition of employment.
 - b. The dangers of the use of tobacco products in the workplace, including its threat to the health and safety of employees, students, and the public.
 - c. The availability of information on tobacco-use intervention and cessation programs upon request and whenever an employee violates the Tobacco-Free Educational Agency policy.
 - d. The possibility of disciplinary action in accordance with Board policy and administrative regulation, state and federal law, and applicable collective bargaining agreements.

ENFORCEMENT PROCEDURES

1. Employees who violate the Tobacco-Free Educational Agency policy shall be subject to appropriate discipline.

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2. Visitors and members of the general public who violate the Tobacco-Free Educational Agency policy shall be informed of the policy and this administrative regulation and asked to refrain from using any tobacco products. If a person fails to comply with this request, the following actions may ensue:
 - a. The matter may be referred to the County Superintendent or designee.
 - b. If the person fails to refrain when so requested by the County Superintendent of Schools or designee, the County Superintendent or designee may direct him/her to leave the property. If necessary, the County Superintendent of Schools or designee may request local law enforcement assistance in removing the person from the premises.
 - c. If an individual twice violates the Tobacco-Free Educational Agency policy, the County Superintendent of Schools or designee may prohibit him/her from entering San Diego County Office of Education facilities or grounds for a specified period of time.
 - d. Violations of this policy by individuals, groups, or organizations contracting with the County Superintendent of Schools for use of facilities and/or grounds may result in cancellation of the contract.
3. Students who violate the Tobacco-Free Educational Agency policy shall be subject to student discipline procedures.

Any form of intimidation, threat, or retaliation against a person for attempting to enforce the Tobacco-Free Educational Agency policy is prohibited.

SAN DIEGO COUNTY OFFICE OF EDUCATION

**ADMINISTRATIVE
REGULATION NO. 3513.5**

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Derivation: Former Administrative Regulation No. 2144.4, Smoking, Adopted 6/1979. Revised 12/1983 and 12/15/89. Amended, Renumbered, and Renamed, 2144, Tobacco-Free Educational Agency, 1/12/94. Amended and Renumbered 4013, 5/10/95. Amended and Renumbered 3513.5 6/11/15.

**Board Policy: 3513.5
Administrative Regulation: 5131**

**Legal Reference: Education Code
48900, 48901
Health & Safety Code
24167, 39002, 104420
Labor Code
6404.5
United States Code, Title 20
6083
7101 - 7117 – Safe and Drug-Free Schools and Communities Act**