

**CLASSIFICATION: Business and Noninstructional
Operations****ADOPTED: 12/15/89****REVISED: 9/8/21****SUBJECT: Tobacco-Free Educational Agency****PAGE: 1 of 2**

The County Board of Education and the county superintendent of schools recognize that the use of tobacco, or any product containing tobacco or nicotine products, as well as exposure to byproducts of their use, constitutes a serious public health hazard. It is the intent of the County Board of Education and the county superintendent of schools to maintain a Tobacco-Free Educational Agency in order to provide a healthy environment for all employees, students, and visitors and to promote smoke-free environments and tobacco-free lifestyles throughout San Diego County.

The County Board of Education and the county superintendent of schools prohibit the use of tobacco, or any product containing tobacco or nicotine products of any kind anytime, anywhere on the grounds and in facilities at 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. 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 policy applies to employees of the county superintendent of schools, students, visitors, and members of the general public and any event held on the grounds or in facilities owned or leased by the county superintendent of schools.

The county superintendent of schools shall maintain an administrative regulation implementing this Tobacco-Free Educational Agency policy that defines tobacco and nicotine products and addresses the following requirements:

1. Maintaining consistent and effective enforcement procedures applicable to all employees, students, visitors, and members of the general public.
2. Clearly communicating information about this prohibition and the applicable enforcement procedures to employees of the county superintendent of schools, students, visitors, and members of the general public and to individuals and organizations that enter into agreements for the use of facilities and/or grounds owned or leased by the county superintendent of schools.
3. Prominently displaying signs prohibiting use of tobacco, or any product containing tobacco or nicotine products as notification to employees, students, and members of the public of the Tobacco-Free Educational Agency policy.

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4. Making information on tobacco-use intervention and cessation support programs available to students and employees of the county superintendent of schools.

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco- or nicotine-related product or disposal of any tobacco- or nicotine-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. Furthermore, A person located in the same park or facility where a youth sports event is taking place shall not use a tobacco product within 250 feet of the youth sports event. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited.

Derivation: Former Board Policy No. 2144, Smoking, Adopted 12/15/89. Renamed and Amended, Tobacco-Free Educational Agency, 1/12/94. Amended and Renumbered 4013, 5/10/95. Amended and Renumbered 3513.5, 10/14/15, 9/8/21.

Board Policy: 3230

Administrative Regulation: 3230, 3513.5

Legal Reference: Education Code

48900, 48901

Health & Safety Code

104350-104495, 104559

Labor Code

6404.5

United States Code, Title 20

6083, 7111-7122 – Student Support and Academic Enrichment Grants

Code of Federal Regulations, Title 21

1140.1-1140.34