

Administrative Regulation

AR 3513.3

Business and Noninstructional Operations

Tobacco-Free Schools

Notifications

Note: Districts receiving Tobacco Use Prevention Education (TUPE) funds are required by Health and Safety Code 104420 to communicate information about the district's policy, as described in the following paragraph. Other districts may delete or revise this paragraph as desired.

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students and the community. (Health and Safety Code 104420)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

OPTION 1: (Districts Receiving TUPE Funds)

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

Enforcement/Discipline

Note: Pursuant to Labor Code 6404.5, no employer shall knowingly or intentionally permit the smoking of tobacco products in an enclosed space at a place of employment. A district will not be considered to have knowingly or intentionally permitted smoking by a nonemployee if it has posted clear and prominent signs as specified above and has requested that a nonemployee who is smoking refrain from smoking in the enclosed workplace. "Reasonable steps" does not include the physical ejection of a nonemployee or any requirement for making a request to refrain from smoking under circumstances involving a risk of physical harm to the employee or employer. The following optional section may be revised as desired to reflect district practice.

Note: The effects of the district's tobacco policy, including any disciplinary action taken against employees resulting from the enforcement of the policy, may be subjects of negotiation between the Board and employee organizations.

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)

Adopted: June 27, 2007

**Gravenstein Union School District
Sebastopol, California**