The Board of Trustees 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)

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

Prevention Instruction

The district shall provide developmentally appropriate tobacco-use prevention 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 and with any requirements of state and/or federal grant programs in which the district participates.

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)
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 possession.

(cf. 1020 - Youth Services)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

Program Planning

The Superintendent or designee shall select anti-tobacco programs based on the model program designs identified by the California Department of Education (CDE) and may modify the model to meet district needs. (Health and Safety Code 104420)

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which has received funding from the tobacco industry.

(cf. 1325 - Advertising and Promotion)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Legal Reference: (see next page)
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 program; 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**

Management Resources:

**CALIFORNIA DEPARTMENT OF EDUCATION 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

**WEST ED PUBLICATIONS**
- Guidebook for the California Healthy Kids Survey

**WEB SITES**
- CSBA: [http://www.csba.org](http://www.csba.org)
- California Department of Education, Tobacco-Use Prevention Education: [http://www.cde.ca.gov/ls/he/at/tupe.asp](http://www.cde.ca.gov/ls/he/at/tupe.asp)
- California Department of Public Health, Tobacco Control: [http://www.cdph.ca.gov/programs/tobacco](http://www.cdph.ca.gov/programs/tobacco)
- California Healthy Kids Resource Center: [http://www.californiahealthykids.org](http://www.californiahealthykids.org)
- California Healthy Kids Survey: [http://www.wested.org/hks](http://www.wested.org/hks)
- Centers for Disease Control and Prevention, Smoking and Tobacco Use: [http://www.cdc.gov/tobacco](http://www.cdc.gov/tobacco)
- Safe and Healthy Kids Annual Report: [http://hk.duerrevaluation.com](http://hk.duerrevaluation.com)

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Tobacco-Use Prevention Education Program

The district's tobacco-use prevention program shall provide students in grades 6-12 instruction which addresses the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiologic, cosmetic, and social consequences of tobacco use
2. Reasons that adolescents say they smoke or use tobacco
3. Peer norms and social influences that promote tobacco use
4. Refusal skills for resisting social influences that promote tobacco use

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

As appropriate, the district shall provide or refer students in grades 7-12 to tobacco-use intervention and cessation activities. (Health and Safety Code 104420)

(cf. 1020 - Youth Services)
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

These services shall be directed toward current users and shall be voluntary for students who desire assistance in ceasing the use of tobacco.

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