

# La Canada USD

## Board Policy

### Tobacco

BP 5131.62

#### Students

The Governing Board recognizes the serious health risks presented by tobacco use in any form, including e-cigarettes and vaping devices, and desires to ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

~~that tobacco use presents serious health hazards and desires to discourage students' use of tobacco products.~~

~~(cf. 3513.3 Tobacco-Free Schools)~~

(cf. 5141.23 - Asthma Management)

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student possession and use of tobacco products.

#### 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. (Education Code 48900, 48901)

~~Students shall not smoke, chew or possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, products on school property or during school hours, at school sponsored events, or while under the supervision and control of district employees. (Education Code 48900, 48901)~~

~~Students who violate this prohibition shall be subject to disciplinary procedures which may result in suspension from school.~~

(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))

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Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette,

pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

Tobacco products include: (Business and Professions Code 22950.5; Education Code 48901)

1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah
3. Any component, part, or accessory of a tobacco product, whether or not sold separately

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code 48900)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

#### Prevention Instruction

~~All students shall receive instruction on the effects of smoking on the human body.~~ The district shall provide developmentally appropriate tobacco-use prevention instruction for students in grades kindergarten through 12 pursuant to Education Code 51202. 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)

#### Intervention/Cessation Services

The district shall provide information ~~Information~~ about smoking cessation programs ~~shall be made available and encouraged for students and staff.~~ or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use.

The Superintendent or designee shall coordinate prevention, intervention and cessation efforts with the local health department, other local agencies and community organizations and shall involve students, parents/guardians, families and the community in support of school-based programs.

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 is known to have received funding from the tobacco industry.

#### 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

##### BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

##### HEALTH AND SAFETY CODE

104350-104495 Tobacco use prevention education

104559 Tobacco use prohibition

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

88 Ops.Cal.Atty.Gen. 8 (2005)

#### Management Resources:

##### ~~CDE~~ CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

TUPE Acceptance of Funds Guidance

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

~~Getting Results: Developing Safe and Healthy Kids, 1998-99~~

##### WEST ED PUBLICATIONS

Guidebook for the California Healthy Kids Survey

##### ~~CENTERS FOR DISEASE CONTROL PUBLICATIONS~~

~~Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994~~  
~~NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS~~  
~~Fit, Healthy, and Ready to Learn: A School Health Policy Guide, 2000~~

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Tobacco-Use Prevention Education:

<http://www.cde.ca.gov/ls/he/at/tupe.asp>

California Department of Public Health, Tobacco Control:

<http://www.cdph.ca.gov/programs/tobacco>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Healthy Kids Survey: <http://www.wested.org/hks>

Centers for Disease Control and Prevention, Smoking and Tobacco Use:

<http://www.cdc.gov/tobacco>

U.S. Surgeon General: <http://www.surgeongeneral.gov>

~~CDE: <http://www.cde.ca.gov>~~

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

~~U.S. Department of Education: <http://www.ed.gov>~~

~~U.S. Surgeon General: <http://www.surgeongeneral.gov>~~

~~Centers for Disease Control and Prevention: <http://www.cdc.gov>~~

~~National Association of State Boards of Education: <http://www.nasbe.org>~~

Policy LA CANADA UNIFIED SCHOOL DISTRICT

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