

**Business and Noninstructional Operations
Tobacco-Free Schools**

The Governing Board recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

The Board prohibits the use of tobacco products at any time in charter school owned and district-owned or leased buildings, on district property and in district vehicles or any vehicles while being used for school functions. (Health and Safety Code [104420](#); Labor Code [6404.5](#); 20 USC [6083](#))

This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event.

Legal Reference:

EDUCATION CODE

[48900](#) Grounds for suspension/expulsion

[48901](#) Prohibition against tobacco use by students

HEALTH AND SAFETY CODE

[39002](#) Control of air pollution from nonvehicular sources

[104350-104495](#) Tobacco use prevention, especially:

[104495](#) Prohibition of smoking and tobacco waste on playgrounds

LABOR CODE

[6404.5](#) Occupational safety and health: use of tobacco products

UNITED STATES CODE, TITLE 20

[6083](#) Nonsmoking policy for children's services

[7111-7117](#) Safe and Drug Free Schools and Communities Act

PERB RULINGS

Eureka Teachers Assn v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School

District (1989) PERB Order #750 (13 PERC 20147)