

**TOBACCO**

Smoking presents a health hazard which can have serious consequences both for the smoker and the nonsmoker. Students shall not be allowed to smoke, chew or possess tobacco or nicotine products on school property or during school hours, at school-sponsored events, or under the supervision of district employees. (Education Code 48901) Students who violate this policy shall be subject to disciplinary procedures which may result in suspension from school. (Education Code 48900)

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

The Board shall provide instruction regarding the effects of smoking on the human body and shall take steps to discourage students from making it a practice to smoke. (Education Code 48901, 51202)

*(cf. 3514 - Safety)*

*Legal Reference:*

EDUCATION CODE

44049 Report of Alcohol or Controlled Substance Abuse

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

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51260 Drug education

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

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

*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

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### WEST ED PUBLICATIONS

*Guidebook for the California Healthy Kids Survey*

### WEB SITES

*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>

*Safe and Healthy Kids Annual Report:* <http://www.cde.ca.gov/ls/he/at/shkannualreport.asp>

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

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

*California School Boards Association:* <http://www.csba.org>