

**Tobacco-Free Environment**

1. Tobacco-free Work Environment

- a. Scientific research has demonstrated the health hazards associated with the use of tobacco products, including the breathing of second-hand smoke. In addition, as role models, Solano County Office of Education (SCOE) employees should demonstrate conduct that is consistent with school programs to discourage students from using tobacco products.
- b. Therefore, SCOE believes it is in the best interest of students, employees, tenants, and the general public to prohibit the use of all tobacco products or any product containing tobacco or nicotine at all times on or in all SCOE property and at SCOE activities.
- c. Areas covered by this policy:
  - All SCOE buildings and grounds
  - SCOE owned or leased vehicles
  - Personal vehicles on SCOE grounds
  - All SCOE activities, wherever they are held

2. Implementation and Cessation Program

- a. SCOE shall maintain a list of clinics and community resources that assist employees who wish to stop using tobacco products and make the list available upon request.
- b. Signs will be posted on all SCOE facilities, grounds, and vehicles, indicating that the use of tobacco or nicotine products by any person is prohibited.
- c. A printed notice regarding the tobacco-free policy will be included with all announcements of SCOE sponsored events and meetings that include non-SCOE individuals. An announcement of the SCOE tobacco-free policy will be made at the beginning of each event, training session, or function conducted on SCOE-owned property, and at SCOE-sponsored events.
- d. Current employees will be advised by their manager of the implementation of this policy. New employees will be advised of the policy during employee orientation.

3. Enforcement

- a. Managers and supervisors shall annually review this policy with employees.
- b. SCOE employees and other individuals who do not comply with this policy will be reminded by event leaders and/or SCOE employees regarding this policy. Employees who do not comply with the policy will be counseled regarding cessation programs and support groups. Managers and supervisors may need to further counsel employees about the policy and the consequences of continual noncompliance.

Legal Reference:

EDUCATION CODE

- 48900 Suspension or expulsion (grounds)
- 48901 Smoking or use of tobacco; steps to discourage
- 51202 Instruction in personal and public health and safety
- 60041 Instructional materials, portrayal of effects of tobacco use

GOVERNMENT CODE

- 7597 Smoking in public buildings, at entrances/exits

PENAL CODE

- 308 Minimum age for tobacco possession

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

**Policy 7110.1 (Continued)**

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

CODE OF FEDERAL REGULATIONS, Title 49(B)(III)

382 Motor carrier safety, controlled substances/testing

VEHICLE CODE

465 Control of air pollution from non-vehicular sources

HEALTH AND SAFETY CODE

39002 Control of air pollution from non-vehicular sources

104350-104495 Tobacco use prevention education; especially:

104495 Smoking near playgrounds

119405 Unlawful to sell or furnish electronic cigarettes to minors

ATTORNEY GENERAL OPINIONS

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

CALIFORNIA PUBLIC EMPLOYMENT RELATIONS BOARD "PERB" RULING

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

Policy Cross-Reference:

1220 Citizen Advisory Committees

1250 Visitors/Outsiders

1325 Advertising and Promotion

1400 Relations Between Other Governmental Agencies and the Schools

3513.3 Tobacco-Free Schools

4020 Drug and Alcohol-Free Workplace

4112 Appointment and Conditions of Employment

4112.42 Drug and Alcohol Testing for School Bus Drivers

4112.5 Criminal Record Check

4112.9 Employee Notifications

4118 Suspension/Disciplinary Action

4158 Employee Security

4218 Dismissal/Suspension/Disciplinary Action

4310.6 Standards for Employees

5030 Student Wellness

5131 Conduct

5131.6 Alcohol and Other Drugs

5131.61 Drug Testing

5141.21 Administering Medication and Monitoring Health Conditions

5141.23 Asthma Management

5144 Discipline

5144.1 Suspension and Expulsion/Due Process

5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)

5149 At-Risk Students

6142.8 Comprehensive Health Education

6143 Courses of Study

7110.2 Drug- and Alcohol-Free Environment