

2000 ADMINISTRATION

2200 HEALTH & WELFARE

2210 TOBACCO-FREE SCHOOLS/SITES

The Marin County Board of Education recognizes the health hazards associated with the use of tobacco and nicotine products, including the breathing of second-hand smoke, and desires to provide a healthy environment for those individuals the office serves.

The board prohibits the use of all tobacco products at all times on or in the following areas:

- Marin County Office of Education property
- Marin County Office of Education owned, leased, rented or used facility
- Marin County Office of Education sponsored activities, events and meetings

This prohibition applies to all employees, students, volunteers, visitors and other individuals.

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.

Tobacco products include:

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

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

References: Education Code 48901
Health & Safety Code 24167
Federal Law 20 U.S.C. 6083
Business and Professions Code 22950.5
Health & Safety Code 104495

TOBACCO-FREE SCHOOLS/SITES

Approved as to form:

A handwritten signature in cursive script, appearing to read "Robert J. Henry", is written over a horizontal line.

Robert J. Henry, of Counsel

Approved by the Marin County Board of Education:
Marin County Board of Education – 4/10/90
Revised – 5/9/95
Revised – 10/9/18

MARIN COUNTY OFFICE OF EDUCATION
ADMINISTRATIVE REGULATIONS AND PROCEDURES

TOBACCO-FREE SCHOOLS/SITES

The success of the tobacco-free schools policy depends upon the thoughtfulness, consideration and cooperation of both tobacco users and non-users. All individuals on school premises, in school vehicles and participating in MCOE sponsored activities, events and meetings, share in the responsibility for adhering to and enforcing the policy.

In light of findings which indicate that second-hand exposure to environmental tobacco smoke can cause lung cancer and other illnesses, and in order to present a positive role model to students, it is the intent of the Marin County Superintendent, acting with concurrence of the Marin County Board of Education, to protect the health and safety of employees, students, clients and visitors by providing a tobacco-free environment.

NOTIFICATION OF TOBACCO-FREE POLICY

The Marin County Superintendent of Schools or designee shall notify employees and applicants for employment of the tobacco-free policy. The policy and regulation can serve as notification. The policy and regulation will also be disseminated and made available to the educational community and visitors. This regulation is intended to communicate the following:

1. The dangers of tobacco use in the workplace, including its threat to the health and safety of employees, students and the public.
2. Available resources which may help employees stop using tobacco.
3. Possible disciplinary actions in accordance with board policy, state law and applicable collective bargaining agreements.
4. The need to abide by district policy as a condition of employment.

TOBACCO-FREE SCHOOLS/SITES

ENFORCEMENT PROCEDURES

- Students

Enforcement of this policy with respect to students will be consistent with existing school discipline plans and state law regarding possession and/or use of tobacco products by students on school grounds.

- Employees

Enforcement of this policy with respect to employees while those employees are performing work related duties as delineated in the policy will be the same as enforcement with any other policy. This includes personal reminders, a conference with the supervisor, or progressive discipline after repeated violations. Employee enforcement while employees are off duty and acting solely as a member of the general public will be the same as enforcement procedures that apply to the general public described later in this regulation. Examples of "off duty" participation by employees might be attendance at Office/School sponsored events without any Office/School related responsibilities, or attendance at school meetings as a parent.

- General Public

Enforcement of this policy for visitors or members of the general public will include the following: The person will first be asked to stop the use of the tobacco product immediately. If uncooperative, the person will be asked to leave. Law enforcement should only become involved if the person becomes very uncooperative or disruptive.

Facility Use Request Forms will include an agreement by organizations requesting facility use to help enforce this policy. They may do this by announcing the policy during the activity and monitoring participant compliance through reminders. Permission to use the facility may be revoked if a lack of enforcement effort is evident on the part of the sponsoring organization.

- Employee Assistance

The office will provide a list of community resources, which will assist employees who wish to stop using tobacco products.

TOBACCO-FREE SCHOOLS/SITES

CLARIFICATION OF RESTRICTED AREAS*


1. Any Marin County Office of Education owned, leased or rented facility including vehicles, buildings and land.
2. Marin County Office of Education sponsored activities, events or meetings.
3. Inside personal vehicles located on Marin County Office of Education owned, leased or rented facilities and land.
4. Any Marin County Office of Education owned, leased or rented vehicle while traveling.

CLARIFICATION OF PERMITTED AREAS*

1. Designated areas at Walker Creek Ranch during Conference Center activities and programs that are non-school sponsored and that occur when students are not present.
2. Public sidewalks and public benches.
3. Personal vehicle off of Marin County Office of Education owned, leased or rented sites.
4. Designated residences provided to staff at Walker Creek Ranch.

* From time to time, further clarification will be needed on the restricted/permitted areas. Please contact the appropriate division administrator for further clarification.

Approved as to form:



Robert J. Henry, of Counsel

Approved by the Marin County Board of Education:
Marin County Board of Education – 5/9/95
Revised – 10/9/18