



Long Valley Charter School

A Non-Profit Public Benefit Corporation

Tobacco Free Schools		
Approved by: Board of Directors	Date: May 13, 2014 Revised: January 14, 2021	Number: 4002

Long Valley Charter School (LVCS) is a nonprofit public benefit corporation that operates two individual charter schools: Long Valley School and Thompson Peak Charter School. This policy applies to both schools equally and the schools are collectively referred to as “Charter School.”

Purpose: To prohibit the use of tobacco products at any time in school-owned or leased buildings, on school property, and in school vehicles.

Definitions: This applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off school property.

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)

Procedures:

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

The Board prohibits the use of tobacco products at any time in the charter school -owned or leased buildings, on school property, and in school vehicles. (*Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083*)

This prohibition applies to all employees, students, and visitors at any charter school-sponsored instructional program, activity, or athletic event held on or off school property. Any written joint use agreement governing community use of school facilities or grounds shall include notice of the school 's tobacco-free schools policy and consequences for violations of the policy.

Prohibited products include any product containing tobacco or nicotine, including, but not limited to:

1. Any 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. (*Business and Professions Code 22950.5; Education Code 48901*)

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (*Health and Safety Code 104495*).

In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited.

Note: *Health and Safety Code 104420 and 104559*, as added by ABX2 9 (Ch. 5, Statutes of 2016), define products containing tobacco and nicotine as including smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes that can deliver nicotine and non-nicotine vaporized solutions. *Education Code 48901*, which prohibits smoking or tobacco use by students on campus, applies the definition of smoking and tobacco products specified in *Business and Professions Code 22950.5*, as amended by SBX2 5 (Ch. 7, Statutes of 2016). The following paragraphs reflect the more comprehensive definitions in *Business and Professions Code 22950.5*.

Management Resources:

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

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

California Department of Education, Tobacco-Free School District Certification:

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

California Department of Public Health, Tobacco Control:

<https://www.cdph.ca.gov/Programs/CCDPHP/DCDIC/CTCB/Pages/CaliforniaTobaccoControlBranch.aspx>

Occupational Safety and Health Standards Board: <https://www.dir.ca.gov/oshsb/oshsb.html>

U.S. Environmental Protection Agency: <http://www.epa.gov>