

*Riverside County Office of Education*  
*Board Policy 5131.62 Students Tobacco*

---

**STUDENTS**

**SUBJECT: Tobacco**

The County Board of Education and County Superintendent of Schools recognize that tobacco use presents health hazards and desires to provide support and assistance in the prevention and intervention of tobacco use among youth.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 3513.3 - Tobacco-Free Schools)

Students shall not smoke, chew or possess tobacco or nicotine products on County Office of Education property or during school hours, at school/program-sponsored events, or while under the supervision of County Office of Education employees. Students who violate this prohibition shall be subject to disciplinary procedures which may result in suspension from school.

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5144 - Discipline)

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

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

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)

Tobacco products include: (Business and Professions Code 22950.5; Education Code 48901)

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

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

Any component, part, or accessory of a tobacco product, whether or not sold separately

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code 48900)

*Riverside County Office of Education*  
*Board Policy 5131.62 Students Tobacco*

---

**Prevention Instruction**

All students shall receive instruction on the effects of smoking on the human body.

The County Office of Education's comprehensive prevention/intervention program shall be based on an ongoing assessment of objective data regarding tobacco use in the schools/programs and on research identifying strategies that have proven effective in preventing or reducing tobacco use among youth. The program shall be designed to meet a set of measurable goals and objectives and shall be periodically evaluated to assess progress.

The County Office of Education shall provide developmentally appropriate tobacco use prevention instruction for students in grades kindergarten through 12.

(cf. 6143 - Courses of Study)

The County Superintendent of Schools or designee also may provide students with counseling and other support services to assist in the prevention or reduction of tobacco use.

Because of the additional health risks of tobacco use for prenatal development, the County Office of Education shall provide outreach, motivational and other support services to prevent or reduce tobacco use among pregnant and parenting minors.

(cf. 5146 - Married/Pregnant/Parenting Students)

Information about smoking cessation programs shall be made available and encouraged for students and staff. (Health and Safety Code 104420)

The County Superintendent or designee shall coordinate prevention and cessation efforts with the local health department, other local agencies and community organizations and shall involve students, parents/guardians, families and the community in support of school-based programs.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

The County Superintendent or designee shall select tobacco-use prevention programs based on the model program designs identified by the California Department of Education (CDE) and may adapt the model to meet district needs. (Health and Safety Code 104420)

The County Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which is known to have received funding from the tobacco industry.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

***Riverside County Office of Education  
Board Policy 5131.62 Students Tobacco***

---

**Program Evaluation**

To evaluate the effectiveness of the district's program and ensure accountability, the County Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code 104450.

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6162.8 - Research)

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

**Legal Reference:**

EDUCATION CODE

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

HEALTH AND SAFETY CODE

104420 Implementation of tobacco use prevention program

104450 Required tobacco use prevention program data reporting

PENAL CODE

308 Minimum age for tobacco possession

PUBLIC LAW 107-110

4111-4117 Safe and Drug-Free Schools and Communities Act

**Management Resources:**

CDE PUBLICATIONS

Getting Results: Developing Safe and Healthy Kids, 1998-99

CENTERS FOR DISEASE CONTROL PUBLICATIONS

Guidelines for School Health Programs to Prevent Tobacco Use and Addiction, 1994

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy, and Ready to Learn: A School Health Policy Guide, 2000

WEB SITES

CDE: [California Department of Education Web Site](#)

California Department of Health Services: [California Department of Health Services Web Site](#)

U.S. Department of Education: [U.S. Department of Education Web Site](#)

U.S. Surgeon General: [U.S. Surgeon General Web Site](#)

Centers for Disease Control and Prevention: [Centers for Disease Control and Prevention Web Site](#)

National Association of State Boards of Education: [National Association of State Boards of Education](#)