

# Mt. Diablo USD

## Administrative Regulation

### Tobacco-Free Schools

AR 3513.3

#### Business and Noninstructional Operations

##### Employee Notifications

~~The Superintendent or designee shall notify employees of the district's tobacco-free schools policy. The notification shall also inform them of:~~

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

##### Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

(cf. 5145.6 - Parental Notifications)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

(cf. 1113 - District and School Web Sites)

##### Enforcement Procedures for Visitors

~~A visitor who smokes on district property shall be informed of the district's tobacco-free schools policy and asked to refrain from smoking. If the person fails to comply with this request, the following actions may ensue:~~

- ~~1. The matter may be referred to the Superintendent or designee responsible for the area or the event.~~

2. ~~The Superintendent or designee may direct the person to leave school property.~~
3. ~~If necessary, the Superintendent or designee may request local law enforcement assistance in removing the person from school premises.~~
4. ~~If the person repeatedly violates the tobacco-free schools policy, the Superintendent or designee may prohibit him/her from entering district property for a specified period of time.~~

~~(cf. 3515.2 - Disruptions)~~

At each entrance to a building or structure, the Superintendent or designee shall post a sign stating "No smoking" or "Smoking is prohibited except in designated areas" as appropriate. (Labor Code 6404.5)

#### Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

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

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

Regulation  
Approved:

MT. DIABLO UNIFIED SCHOOL DISTRICT  
Concord, California