

**TEMECULA VALLEY CHARTER TVCS
Board Policy**

5000 Personnel

5013 Smoke and Tobacco Free Workplace - Employees

Board Action: APPROVED

Effective Date: 11-2-2015

The Board of Directors 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.

TVCS campus shall be an entirely smoke-free campus.

Accordingly, the Board finds and declares that the purposes of this policy are (1) to protect the public health and welfare by prohibiting smoking on the TVCS campus; (2) to guarantee the right of nonsmokers to breathe smoke-free air, while recognizing that the need to breathe smoke-free air shall have priority over the desire to smoke; and (3) to encourage a healthier, more productive living/learning environment for all members of our campus community. By adopting this policy, the Governing Board also intends to set an example for students of TVCS, whose future habits and character will be greatly influenced by the habits and character of employees, administrators and visitors to TVCS.

Policy Statement. Because TVCS is committed to providing a safe and healthy working and learning environment for the students, faculty, and staff on its campus, it hereby adopts the following smoke-free policy.

In accordance with law, smoking is prohibited in TVCS vehicles and in all enclosed spaces in School facilities, including, but not limited to, lobbies, lounges, waiting areas, elevators, stairwells, and restrooms that are a structural part of the building. (*Labor Code 6404.5; 20 USC 6083*). 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*). These prohibitions extend to any and all electronic and mechanical nicotine delivery devices.

TVCS therefore prohibits the use of all forms of tobacco, smoke, and electronic and mechanical nicotine delivery devices on campus. TVCS prohibits any advertising, sale, or free sampling of such products. Littering the TVCS campus or property with the remains of tobacco, smoke, or mechanical nicotine delivery devices or any other related waste product is prohibited.

Purpose. To recognize social responsibility in promoting the health, well-being, and safety of students, employees and visitors to TVCS.

Applicability. This policy applies to all students, employees, TVCS affiliates, contractors and visitors twenty-four (24) hours a day, seven (7) days a week.

Responsibility. Adherence to this policy is the responsibility of all members of the TVCS community. It is expected that students, employees, TVCS affiliates, contractors and visitors to TVCS will comply with this policy. Members of the TVCS community are empowered to respectfully inform others about the policy in an ongoing effort to enhance awareness of and encourage compliance with this policy.

Enforcement. Effective implementation of this policy relies on the courtesy, respect and cooperation of all members of the TVCS community. If someone is seen using tobacco, smoke, or electronic and mechanical nicotine delivery devices on TVCS property, an employee may inform the individual of this policy and request that he/she comply. If the individual does not comply, details of the policy violation may be referred to the Director/Principal for appropriate resolution including removal of the person from TVCS at the sole discretion of the Director/Principal.

Awareness and Education. The implementation of this policy is augmented by an awareness and education campaign that includes but is not limited to:

- Notification of our Smoke and Tobacco-Free workplace policy to current and prospective employees through communication available on the TVCS website
- Notification during new hire employee orientation
- Informational postings and electronic notifications
- Smoke and Tobacco cessation programs for employees
- Notices bearing the message "Smoke and Tobacco Free Environment" around the TVCS campus, and
- Organizers and attendees at all TVCS events will be required to abide by this policy. Organizers of such events are responsible for communicating the policy to attendees.

Definitions

Smoking – means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, including a hookah pipe, or any other lighted or heated tobacco or plant product, including marijuana, intended for inhalation, in any manner or in any form. "Smoking" also includes the use of an e-cigarette which creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Policy.

Tobacco Products - All forms of tobacco, including but not limited to, cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, smokeless tobacco, snuff and chewing tobacco.

Electronic and Mechanical Nicotine Delivery Devices - All devices that deliver a dose of nicotine either with or without combustion such as electronic cigarettes. This definition includes any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

TVCS Community - Employees, TVCS affiliates, contractors and visitors.

TVCS campus/property - All buildings and structures, parking lots, walkways and attached parking structures owned or controlled by TVCS.

The Smoke-free Policy applies to all TVCS facilities and vehicles, owned or leased, regardless of location. Smoking shall not be permitted in any enclosed place. Smoking shall also be prohibited outdoors on all TVCS campus property, including parking lots. This policy applies to all students, faculty, staff, and other persons on campus, regardless of the purpose for their visit.

Copies of this policy shall be distributed to all faculty and staff and shall be included with information given to all admitted students. Announcements shall also be printed in campus newspapers to insure that everyone understands the policy. No Smoking signs shall be posted at all points of entry to the TVCS campus and at all TVCS building entrances. No ashtrays shall be provided at any location on campus. Cigarettes, including e-cigarettes, cigars, and pipes, including hookah pipes, shall not be sold or distributed as samples on university grounds, either in vending machines, the student union, or any area on campus. Questions and problems regarding this policy should be handled through existing departmental administrative channels and administrative procedures.

The success of this policy will depend on the thoughtfulness, consideration, and cooperation of smokers and nonsmokers. All students, faculty, and staff share in the responsibility for adhering to and enforcing this policy. Violations of the policy will be treated in accordance with general campus disciplinary procedures.

No tobacco-related advertising or sponsorship shall be permitted on TVCS property, at TVCS-sponsored events, or in publications produced by TVCS, with the exception of advertising in a newspaper or magazine that is not produced by TVCS and which is lawfully sold, bought, or distributed on TVCS property. For the purposes of this policy, "tobacco related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or motto, selling message, recognizable pattern or colors, or any other indicia of product identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.