



# SAN DIEGO COMMUNITY COLLEGE DISTRICT

## Board of Trustees Policy

### Chapter 3 – General Institution

#### BP 0505 – SMOKE AND TOBACCO-FREE DISTRICT PROPERTY

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#### LEGAL BACKGROUND

California Government Code Section 7597(a) ... no public employee or member of the public shall smoke any tobacco product inside a public building, or in an outdoor area within 20' of a main exit, entrance, or operable window of a public building, or in a passenger vehicle...owned by the state.

(b) This section shall not preempt the authority of any ...California community college campus... to adopt and enforce additional smoking... regulations or policy that are more restricting than the applicable standards required by this chapter.

California Government Code Section 7597.1 (a) ...The governing bodies of ...each community college district have the authority to:

- (1) Set enforcement standards for their local campuses.
- (2) Impose a fine ...
- (3) ...post signs stating their tobacco use policy on Campus
- (4) ... inform employees and students of the tobacco use policy and enforcement measures employed on their campus.

San Diego Municipal Code section 43.1003(a) prohibits smoking in a public place or place of employment.

San Diego Municipal section 43.1006 provides that the City Manager shall annually request such governmental and educational agencies involved with their specific business within the City of San Diego to establish local operating procedures to cooperate and comply with this ordinance. In Federal, State, County and special school districts within the City of San Diego, the City Manager shall urge enforcement of their existing no-smoking prohibitions and request cooperation with this ordinance.

#### POLICY

To comply with the provisions of the Government Code, San Diego Municipal Code and with the advice of the shared governance bodies at City College, Mesa College, Miramar College and Continuing Education, the Board declares that smoking and the use of any tobacco product are prohibited on all properties and in all vehicles owned or controlled by the District.

The District will also develop and maintain programs intended to educate the College Community as to the risks of tobacco and the availability of Smoking Control Programs.

The Chancellor shall develop procedures to implement this policy.

Adopted: February 14, 2013

SUPERSEDES: AC-7416, 4/23/75, 5/11/78, 10/14/98, 2/26/2004