

Chapter 3 - General Institution

AP 3565 Smoking on Campus

References:

Government Code Sections 7596, 7597, 7597.1 (AB 795) and 7598; California Health and Safety Code 119405(b); AP 6750 - Parking

For the purposes of this procedure, the following definition applies:

~~“Tobacco” is defined as any product containing tobacco, the prepared leaves of the nicotiana family, including, but not limited to: cigarettes, loose tobacco, cigars, pipes, or any other preparation of tobacco consumed in a manner that emits smoke.~~

“Smoke or smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. “Smoking” includes the use of an electronic smoking device that creates an aerosol or 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.

“Tobacco product” means any of the following:

- A. 1) 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.
- 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.
- B. Notwithstanding subparagraph (A), “tobacco product” does not include a nicotine replacement product approved by the United States Food and Drug Administration.

~~Electronic cigarettes or “e-cigarettes” is defined as a devices that can provide an inhalable dose of nicotine by delivering a vaporized solution.~~

Designated Smoking Areas

Smoking **as defined above** ~~and the use of e-cigarettes~~ will be prohibited on District property with the exception of designated smoking areas. Designated smoking areas can be found on campus maps and the College website.

Disciplinary Action

- 1. Violations of this policy will **may** be subject to a citation and a fine, as allowed per Government Code 7597.1. The fine shall be equal to the average fine of parking violations as set forth in AP 6750 and enforced by Public **Police and Campus** Safety. **Students with repeat violations may be referred to Student Life for discipline folling Board Policy 5500.**

2. Appeals Process:

- a. Appeals may be submitted in writing within twenty-one (21) calendar days of issuance of the citation.
- b. The Appeals Committee shall consist of one representative from each of the bargaining units, one District representative, and one student representative.

3. Failure to pay citations will result in:

- a. Students – a hold will be placed on the student's account.
- b. Employees – Parking permits will be held until fines are paid.

4. Repeat violations will result in an increase of 100% of the original fine, not to exceed \$100.

5. Funds collected from fines will be applied toward education efforts addressing the harmful effects of smoking, to support smoking cessation efforts, for the maintenance of designated smoking areas, and any other costs related to implementation.

Smoking Cessation Education Efforts

Information about free and accessible smoking cessation programs will be made available by the Student Health Center and available on the Student Health Center's web page.

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