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**Kern Community College District  
Administrative Procedures  
Chapter 3 – General Institution**

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**AP 3570                      Smoking on Campus**

**References:**

Government Code Sections 7596, 7597, 7597.1, and 7598;  
Labor Code Section 6404.5;  
Health and Safety Code Section 104495;  
Title 8 Section 5148

**Note:** This procedure is **legally advised**.

Introduction:

It is the commitment of Bakersfield College and Porterville College (hereinafter “the Colleges”) to provide and maintain an environment that is conducive to the health and safety of its students, employees, and visitors. In light of this and the findings of the U.S. Surgeon General that the use of tobacco and exposure to secondhand smoke pose significant health hazards, as provided in District Policy, the Colleges have established a smoke, vapor and tobacco-free environment to be initiated Fall 2019. Smoking, vaping, and the use of tobacco products is prohibited on all District Property at all times. This administrative procedure applies to students, faculty, staff, administrators, visitors, and general members of the public.

The use and/or sale of all tobacco products will be prohibited on all property and in all indoor and outdoor spaces owned, leased, licensed, or otherwise controlled by the Colleges, and in all District owned vehicles assigned to the Colleges. This prohibition includes smoking through the use of electronic smoking devices and hookahs.

Definitions:

- a. “Tobacco Product” means any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidi cigarettes, blunts, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold,

offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation; but not include cessation products specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

- b. "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, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which 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 in this policy.
- c. "Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any device, whether manufactured, distributed, marketed, or sold as a 3-cigarette, e-cigar, e-pipe, e-hookah, vape pen, or under any other product name or descriptor.
- d. "Hookah" means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.

#### Implementation:

Implementation of the tobacco-free policy will be Fall semester 2019.

The following Restrictions regarding tobacco use will be effective starting Fall semester 2019:

- a. All use of electronic smoking devices, hookahs and tobacco products is prohibited on all Bakersfield College or Porterville College property.
- b. All use of electronic smoking devices, hookahs and tobacco products is prohibited in all District-owned vehicles assigned to the Colleges.
- c. Tobacco products will not be sold on Bakersfield College or Porterville College property.

#### Responsibilities:

- a. Each member of the College community including, students, faculty, staff, and volunteers, is responsible for observing and adhering to the Tobacco-Free Environment Policy.

- b. Vice Presidents, Deans, Directors and Department Chairs have the responsibility to ensure that students, faculty, staff and visitors within their area are informed of the Policy and Administrative Procedure; this includes:
  - i. Ensuring that the Policy and Administrative Procedure is prominently posted and noted in handbooks, websites, catalogs, and in student, staff, and faculty recruitment materials within their area of responsibility;
  - ii. Promulgating the Policy and Administrative Procedure to all employees and students within their respective areas, including incorporating the Procedure in appropriate student or employee recruitment or orientation programs; and
  - iii. Ensuring that visitors who may attend programs or events or are retained to stage events sponsored by the department, are notified of the Tobacco-Free Policy and Administrative Procedure and the College's requirement that all such visitors comply with the Policy and Administrative Procedure.
- c. Managers, supervisors and administrative officers are encouraged to answer questions and concerns by their employees and constituents regarding this Policy and Administrative Procedure. Concerns related to application of this Policy and Administrative Procedure should be forwarded to the Tobacco Free Steering Committee.
- d. Compliance with this Policy and Administrative Procedure is grounded in informing and educating members of the College community and visitors about the Policy and Administrative Procedure and encouraging those who use Tobacco Products to seek treatment for tobacco dependence. In order to maintain a tobacco-free environment, notifying others about the Policy and Administrative Procedure will be an ongoing effort to enhance awareness of and foster compliance with this Policy and Administrative Procedure. The Tobacco Free Steering Committee and College Student Health and Wellness Center are responsible for providing information and answering questions regarding smoking cessation resources.