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

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:

Bakersfield College and Porterville College

~~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, *Bakersfield College and Porterville College are smoke and tobacco-free environments.* the Colleges have established a smoke, vapor and tobacco-free environment to be initiated Fall 2019. Smoking, vaping, and the use *or sale* of tobacco products is prohibited on *Bakersfield College and Porterville College campuses all District Property* at all times. This administrative procedure applies to students, faculty, staff, administrators, visitors, and general members of the public.~~

Cerro Coso College

Cerro Coso College permits smoking in designated areas. Smoking is prohibited within 20 feet of a main exit, entrance, or operable window of any campus building.

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Smoking is prohibited inside any indoor area of any campus building, except for covered parking lots and residential space.

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Smoking is prohibited in any enclosed place of employment on campus, including lobbies, lounges, waiting areas, stairwells, and restrooms that are a structural part of

any building that is a place of employment.

~~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.~~

The District offers the resources for students, faculty, and staff who are interested in quitting smoking or the use of tobacco at <https://www.bakersfieldcollege.edu/services-and-resources/student-health-wellness-center/tobacco-free.html>. Additionally, students, faculty, and staff who are interested in smoking cessation are encouraged to explore the free services offered by the California Smokers Helpline at 1-800-NOBUTTS and www.nobutts.org.

~~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, little 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.

- e. “District property” includes both indoor and outdoor areas of property that is owned, leased, or otherwise controlled by the District, including but not limited to: classrooms, offices, lobbies, lounges, waiting areas, stairwells, restrooms, walkways, sidewalks, lawns, athletic fields and viewing stands, parking lots, warehouses, storage yards, and District-owned or leased vehicles.
- f. “Covered parking lot” means an area designated for the parking of vehicles that is enclosed or contains a roof or ceiling, but does not include lobbies, lounges, waiting areas, stairwells, and restrooms that are a structural part of the parking lot or a building to which it is attached.
- g. “Residential space” means a private living area, but does not include common areas such as lobbies, lounges, waiting areas, elevators, stairwells, and restrooms that are a structural part of a multi-complex building such as a dormitory.
- h.

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 all Bakersfield College or Porterville College property.

Responsibilities:

- a. Each member of the Bakersfield College and Porterville College communities 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~~ and 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.