

**CALIFORNIA DEPARTMENT OF EDUCATION  
TOBACCO-FREE SCHOOL DISTRICT CERTIFICATION**

District/Charter/County Office of Education Name		County Name	County-District-School (CDS) Code	
Contact Person	E-mail		Telephone Number	Date Submitted

**CALIFORNIA HEALTH AND SAFETY CODE, Section 104420  
Compliance Requirements**

- The agency’s tobacco-free policy prohibits the use of tobacco products any time in agency owned or leased buildings, on agency property, and in agency vehicles. The agency has established written procedures to enforce this policy.
  - **Submit** the official agency tobacco-free policy **and** enforcement procedures to ensure the above factors are addressed, including dates of approval and revisions. Submitted policies and enforcement should address use by staff, students, visitors, and joint use of property.
  - **Submit** a superintendent/ assistant superintendent signed assurance that provisions of the policy are implemented and enforced (see provided sample).
  
- Policy and enforcement procedures have been communicated clearly to agency personnel, parents, students, and the larger community.
  - **Submit** the information that was disseminated to agency personnel, students, parents, and the community and a description of how the information was disseminated to show the policy and enforcement procedures have been communicated.
  
- Permanent signs stating, “Tobacco Use is Prohibited” are prominently displayed at all entrances to all agency properties/locations.
  - **Submit** evidence of compliance that includes a picture of a permanent sign.
  
- Information about tobacco cessation support programs is made available and encouraged for students and staff.
  - **Submit** a list of tobacco cessation programs available to serve students and staff, **and** describe how information regarding these programs is disseminated.

**Send this form and all supporting documentation to your County Office of Education Coordinator for the Tobacco-Use Prevention Education (TUPE) Program.**

**Note:** County Offices of Education (COE) must submit this form and documentation pertaining to COE Certification to the California Department of Education (CDE) Coordinated School Health and Safety Office for review.

Agencies must meet the requirements for certification by July 1 to apply for TUPE funding for that fiscal year. If the agency does not meet the requirements for certification until after July 1, it is ineligible to apply for TUPE funding until the following fiscal year.

**For County and State Use Only**

The agency identified above meets the criteria for certification as a Tobacco-Free agency as defined in California *Health and Safety Code, Section 104420* and is eligible to apply for funding beginning July 1, 20\_\_\_\_. This certification will remain valid until June 30, 20\_\_\_\_.

Signature of COE TUPE Coordinator	Printed Name	Telephone Number	Date
Signature of CDE Consultant (for COE submissions)	Printed Name	Date	Date Entered and Initials

## INSTRUCTIONS FOR COMPLETION OF TOBACCO-FREE CERTIFICATION DOCUMENTS

The district, direct-funded charter school, or county office of education (COE) must meet the requirements for tobacco-free certification by June 30 to apply for TUPE funding during that fiscal year. **If the District/Charter/COE does not meet the requirements for certification until after June 30, they are ineligible to apply for TUPE funding until the following fiscal year.**

If compliance cannot be documented for **any** compliance requirement, your agency is not eligible to apply for TUPE funding from the Cigarette and Tobacco Products Surtax Fund.

1. On the top two lines, print the name of the school district, charter school or COE; County name; CDS Code; Contact Person; E-mail address; Telephone number; and Date Submitted. The CDS code includes the 2-digit county code, 5-digit district code, and 7-digit school code. The school code is necessary only if a direct-funded charter school. For districts and COEs, use "0000000" as the school code.
2. For each compliance requirement, assemble the required documentation, as identified on the form.

Suggested documentation includes:

- a. Copies of the board adopted policies and corresponding administrative regulations that impact students, staff, visitors, and civic use permit holders.

For agencies that subscribe to the California School Board Association's services, this could include the following policies:

1. Board Policy (BP) 1330 and Administrative Regulation (AR) 1330
  2. BP 3513.3 and AR 35313.3 (**Note:** The agency must adopt the stricter language of *HSC* Section 104420 (n)(2) to be certified as tobacco-free.)
  3. BP 5131.62 and AR 5131.62
- b. A memorandum/letter from the agencies lead administrator, or designee, which states the agency will fully enforce all aspects of the tobacco-free policies adopted by the governing board.
  - c. Copies of pages from student, parent, or staff handbooks clearly stating the agency's tobacco-free policy and enforcement procedures, or a written description of how students, parents, and staff are made aware of the agency's tobacco-free policy and enforcement procedures
  - d. A written description of how the community is made aware of the agency's policy including civic use permits.
  - e. A clear picture of a permanent sign posted on agency property that represents the signage used by the agency to alert visitors to the agency's prohibition of tobacco-use.

- f. A written description of the cessation opportunities available to students and staff, a description of how students and staff are made aware of these services and encouraged to access them. (**Note:** The agency is not required to provide the services, but must be able to identify where and how services are available.)
3. After you have completed the upper portion of the form and assembled all the supporting documentation showing your agency's compliance with the law, **submit this form and the documentation to the TUPE Coordinator in your COE.**

A list of these coordinators is available on the CDE's County Office of Education TUPE Coordinators Web page at <http://www.cde.ca.gov/ls/he/at/countycoordinators.asp>.

The COE TUPE coordinator will review all the documentation submitted by your agency to demonstrate compliance with the law. The coordinator will notify an agency directly if documentation does not clearly demonstrate compliance and assist the agency in meeting compliance.

If an agency demonstrates compliance with all requirements, the county coordinator will sign and date the certification form. The effective date of this certification will be July 1 of the fiscal year **following** the approval of the document. The certification will expire three years from the effective date. The COE Coordinator will enter the effective date and expiration date of the certification at the bottom of the document. The COE TUPE Coordinator will submit the original form to the Coordinated School Health and Safety Office (CSHSO) and a return a copy to the agency. The COE will retain the submitted documentation for audit purposes.

**Note:** The county TUPE coordinator cannot certify the COE and must submit the required documentation with this form to the CSHSO for review and certification.

If you have any questions regarding Tobacco-Free Certification, contact your COE TUPE Coordinator.

If you have questions concerning the TUPE Program, please visit the CDE's Tobacco-Use Prevention Education Program Web page at <http://www.cde.ca.gov/ls/he/at/tupe.asp>.

# Sample Assurance Letter

## TYPE ON AGENCY LETTERHEAD

To: Coordinated School Health and Safety Office  
California Department of Education

From: \_\_\_\_\_  
Agency Name

\_\_\_\_\_  
County  
Code (2 digits)

\_\_\_\_\_  
District  
Code (5 digits)

\_\_\_\_\_  
School  
Code (7 digits)

Re: **Assurance of Compliance with Tobacco-Free Policy**

As the [*Superintendent/Assistant Superintendent/CEO*] of [*agency name*], I hereby attest that this agency complies with California Health and Safety Code, Section 104420, as it pertains to:

- Adoption of Tobacco-Free policy and enforcement procedures,
- Communication of said policy and enforcement procedures to staff, students, parents, and community,
- Posting of appropriate signs at all entrances to agency property, and
- Dissemination of information to students and staff regarding tobacco cessation opportunities.

This memorandum is my assurance to the California Department of Education that this agency will enforce all aspects of the policy adopted by the agency's Governing Board.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date