

**VCU**

Smoke and Tobacco-Free Campus

Responsible Office: Safety and Risk Management, Division of Administration

Current Approved Version: 06/14/2019

Policy Type: Administrative

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Policy Statement and Purpose

In order to provide a safe and healthy working and learning environment for faculty, students, staff and visitors on its campus, Virginia Commonwealth University has adopted the following Smoke and Tobacco-Free Campus policy:

Smoking, vaping, and the use of all tobacco products is prohibited on university property or in vehicles owned or leased by the university, except as specifically permitted below:

1. In an outdoor area specifically identified as a "Designated Smoking Area." For information about specific areas, see <http://tobaccofree.vcu.edu/> (<http://tobaccofree.vcu.edu/>).
2. Sponsored research involving the authorized use of tobacco or tobacco products. In the case of smoking, the principal investigator must obtain a written waiver signed by the vice president for research and innovation prior to the initiation of the research. Any such waiver will designate a specific room within the facility (following inspection by the VCU fire safety office and concurrence by the dean or the dean's direct representative) and sponsored research requirements. Smoke, like any other contaminant, will be controlled. All research involving the participation of human subjects, including that with tobacco, or tobacco products requires approval by the VCU Institutional Review Board.

3. Authorized theatrical smoking or vaping. Any use of tobacco products in a theatrical production that is required by the script or for character motivation shall be accomplished using non-tobacco substitute material. If a combustible product is to be used, there must be prior approval by the VCU Fire Safety Office. Audiences must be notified that there will be smoking on stage.
4. This policy does not apply to any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence or to the Education City campus in Doha, Qatar.

The restrictions are designed to comply with Virginia Executive Order 41 (2006), banning smoking in state offices and vehicles; the Administrative Guidelines for Executive Order 41, Code of Virginia section 18.2-371.2 and the Virginia Indoor Clean Air Act (Code of Virginia sections 15.2-2820 et seq.). In accordance with VCU's *Space Use Regulation*, 8 VAC 90-70-10 et seq., entry upon and use of university property must be in accord with VCU policy. Any person who violates these restrictions may be excluded from university property, subject to criminal penalties for trespass, or subject to university action under applicable policy, such as the *Student Code of Conduct* or employee disciplinary policies.

VCU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

Who Should Know This Policy

This policy applies to all university employees, students, university affiliates, contractors and visitors and all are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

Definitions

Electronic Nicotine Delivery System

"Electronic Nicotine Delivery System" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling an aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, hookah, or vape pen, or under any other product name or descriptor. An aerosol is commonly referred to as a vapor, and the action is commonly known as vaping.

Hookah

"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.

Smoking

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic nicotine delivery system which creates an aerosol, 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 Products

“Tobacco Product” means any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, snus, zyn, bidis, 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 or transdermal administration (e.g., vaping or e-cigarettes, etc.). The policy but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

University Facility

“University Facility” means any defined space of the university, including a room, lab, series of labs, building, or controlled outdoor area.

University Property

“University Property” means any indoor or outdoor property owned, leased, or controlled by Virginia Commonwealth University.

Contacts

The vice president for administration officially interprets this policy.

The assistant vice president of safety and risk management is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures.

Please direct policy questions to the assistant vice president of safety and risk management.

Policy Specifics and Procedures

1. Non-smoking Areas: All university facilities and property shall be smoke and tobacco-free.
2. Student Responsibilities: Failure to abide by this policy may result in disciplinary action under the *Student Code of Conduct*.
3. Employee Responsibilities: Failure to abide by this policy may result in disciplinary action in accordance with Human Resources policies and guidance. Employee supervisors are charged with enforcing the provisions of this policy.

Forms

There are no forms associated with this policy and procedures.

Related Documents

1. Smoke and Tobacco Free Campus website
<https://tobaccofree.vcu.edu> (<https://tobaccofree.vcu.edu/>)
2. Virginia Code § 18.2-371.2, Prohibiting purchase or possession of tobacco products, nicotine vapor products, and alternative nicotine products by a person under 21 years of age or sale of tobacco products, nicotine vapor products, and alternative nicotine products to persons under 21 years of age (increased minimum age effective as of July 1, 2019)
<https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+SB1727ER+hil>
3. Governor’s Executive Order 41 (2006), Banning Smoking in State Offices and Vehicles
https://sgr.virginia.edu/sites/sgr.virginia.edu/files/EO41_2006.pdf
4. Administrative Guidelines for Executive Order 41
http://townhall.virginia.gov/L/GetFile.cfm?File=GuidanceDocs%5C194%5CGDoc_DGS_3786_v2.pdf
5. Great Place Initiative
<https://greatplace.vcu.edu/>

(<https://greatplace.vcu.edu/>)
6. Virginia Indoor Clean Air Act
<https://law.lis.virginia.gov/vacode/title15.2/chapter28.2/>
7. [VCU Space Use – Regulation \(/universitywide-policies/policies/space-use-regulation.html\)](/universitywide-policies/policies/space-use-regulation.html)
8. VCU Policy: [Student Code of Conduct \(/universitywide-policies/policies/student-code-of-conduct.html\)](/universitywide-policies/policies/student-code-of-conduct.html)

Revision History

This policy supersedes the following archived policies:

Approval/Revision Date	Title
June 6, 2019	<i>Smoke and Tobacco-Free Campus</i> [7/25/2019: Added definition of “university facility”]
June 6, 2019	<i>Smoke and Tobacco-Free Campus</i> [10/28/2019: Revised definition of “tobacco products”]

FAQ

There are no FAQ associated with this policy and procedures. Information related to this policy and its implementation will be housed on the Safety and Risk Management website <https://tobaccofree.vcu.edu> (<https://tobaccofree.vcu.edu/>).

