

	<b>FGCU POLICY 3.048</b>	<b>Responsible Unit:</b> Office of the Vice President for Administrative Services and Finance
	<b>Smoke Free and Tobacco Free Campus</b>	

## A. POLICY STATEMENT

Florida Gulf Coast University has a vital interest in maintaining a safe and healthy environment for our University Community. To this end, the University has become a smoke-free and tobacco-free campus. Additionally, the University performs an important function by demonstrating and promoting healthy lifestyles through activities such as offering services for the curtailment and cessation of the use of Tobacco Products. Finally, establishing a smoke-free and tobacco-free campus will contribute to the University's efforts to keep clean the grounds and air that support FGCU's commitment to a sustainable environment.

## B. REASON FOR POLICY

This Policy provides guidance for the use of Tobacco Products and Smoking devices on University Premises.

## C. APPLICABILITY AND/OR ACCOUNTABILITY

This Policy applies to all persons on University Premises.

## D. DEFINITION OF TERMS

1. *Electronic Smoking Device*: Any electronic delivery system which contains or delivers nicotine, non-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 system. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
2. *Hookah*: A water pipe and any associated products and devices which are used to produce fumes, smoke, or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.
3. *Smoking*: Inhaling, exhaling, burning, or carrying any lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form and by any means, including Hookah, cigarette, cigar, Electronic Smoking Device, or any other method. Smoking includes the term "vaping".
4. *Tobacco Product(s)*: 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 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. Tobacco Product includes any substance containing tobacco leaf such as cigarettes, cigars, pipe tobacco, Hookah tobacco, snuff, chewing tobacco, dipping tobacco, beedi, bidis, blunts, clove cigarettes, or any other preparation of tobacco including products used in an Electronic Smoking Device.

5. *University Community*: Students, faculty, staff, University affiliates, contractors, and visitors.
6. *University Premises*: All land, buildings, facilities, and other properties owned, used, leased, operated by, or in the possession of the University or one of its direct support organizations. For purposes of the Policy, University Premises includes any vehicles owned by the University such as cars, trucks, boats, busses, and golf carts.

## **E. PROCEDURES**

1. Use and purchase of tobacco on the University Premises is prohibited.
  - a. The use, sale, advertising, and sampling of Tobacco Products on the University Premises is prohibited.
  - b. Littering of the University Premises with Tobacco Products or packaging is prohibited.

### 2. Advertisement of Tobacco Products

The advertisement of Tobacco Products on University Premises is prohibited.

### 3. Exceptions

- a. Sponsored research involving Tobacco Products, provided that the University employee obtains the prior approval of the Institutional Review Board (IRB) and the Office of the Provost and Vice President for Academic Affairs, or designee, and a waiver is requested and granted in accordance with sponsored research requirements, if any. Smoke, like any other contaminant, will be controlled.
- b. Performances by artists or actors who are participating in University-authorized or sponsored performances that require Smoking as part of the artistic production, provided that the sponsor of the artists or actors obtain the prior approval of the appropriate Vice President, or designee.
- c. Educational or clinical purposes with prior approval of the Dean or Director

responsible for the facility and the Office of the Provost and Vice President for Academic Affairs, or designee.

4. Violations

- a. A student found to be in violation of this Policy shall be subject to discipline under FGCU Regulation 4.002, Student Code of Conduct and Student Conduct Review Process.
- b. An employee found to be in violation of this Policy shall be subject to discipline under FGCU Regulation 5.016, Disciplinary Action, or as may be provided in a collective bargaining agreement.
- c. Visitors, contractors, non-students, and non-employees on University Premises who are in violation of this Policy should be reminded of the Policy and asked to comply by discarding the Tobacco Product.

*Authority*

*Section 386.201-2125, Florida Statutes*

*Florida Clean Indoor Air Act*

*BOG Regulation 1.001, University Board of Trustees Powers and Duties*

*History of Policy*

*New 06/20/16; Format Changed 09/10/19*

**APPROVED:**

\*/s/Wilson G. Bradshaw  
Wilson G. Bradshaw, President

June 20, 2016  
Date