

PROCEDURES MEMORANDUM

TO: All persons on property or in vehicles owned or leased by the College.

FROM: Office of the President

SUBJECT: To prohibit smoking and use of tobacco on property and in vehicles owned or leased by the College pursuant to Board of Governors Policy 90211.

DATE: **This procedure memorandum will be effective September 17, 2017.**

POLICY STATEMENT: Effective September 17, 2017, smoking and use of tobacco shall be prohibited on property and in vehicles owned or leased by the College.

SCOPE: This Procedures Memorandum applies Collegewide.

**1. Definitions:**

- A. MCC Property: Any property owned, leased by or in possession of the College, including all buildings, patios, sidewalks, parking lots and other outdoor areas, and all vehicles owned or leased by the College.
- B. Smoking: The lighting, holding, or other possession of any lighted cigarette, cigar, pipe, or other smoking material, regardless of its composition. Smoking also includes the use or operation of any e-cigarette product, mechanical mod, electronic vaporizer or other electronic smoking device.
- C. Tobacco and Tobacco Products: Tobacco and smoking products of any kind, including, but not limited to, cigarettes, smokeless or “spit” tobacco, chewing tobacco, snuff, snus, dissolvable tobacco, cigars, little cigars, cigarillos, pipe tobacco, gutka, bidis, kreteks, nicotine vaporizers, clove cigarettes, electronic nicotine delivery devices such as e-cigarettes and e-hookah, and any other item categorized as a tobacco product by the Food and Drug Administration’s Center for Tobacco Products.

**2. Signage:**

- A. The Department of Facilities Management shall be responsible for the installation and maintenance of signage notifying individuals of the Policy.

- B. Signage will be placed on College owned or leased property. Signage may be featured on, but not limited to, College grounds, at entrances to and exits from College buildings, and on/in College owned and leased vehicles. Signage may also be placed in former designated smoking areas and areas where smoking and tobacco use continues beyond the effective date of the Policy.

### **3. Communication:**

- A. It is the responsibility of faculty, staff, and students to proactively and respectfully inform those discovered to be smoking or using tobacco products in violation of the Policy of the prohibition.
- B. The College will provide ongoing communication to new and returning faculty, staff, and students about the College's 100% Smoking and Tobacco Free Policy.

### **4. Compliance:**

- A. It is the responsibility of faculty, staff, students, and visitors to observe, adhere to and respect the College's Smoking and Tobacco Free Policy.
- B. Violation of the College's Smoking and Tobacco Free Policy may result in corrective or disciplinary action. Employees discovered to be in violation of the Policy may be referred to their supervisor, and student violations will be handled under the Student Code of Conduct. Visitors refusing to comply with the College's Smoking and Tobacco Free Policy may be asked to leave College owned or leased property.

### **5. Cessation:**

The College will support faculty, staff, and students in their efforts to become tobacco free. Faculty, staff, and students will be offered smoking cessation resources and information on the dangers of smoking and the use of tobacco and e-cigarette products.

### **6. Exceptions:**

- A. Smoking or use of tobacco for ceremonial purposes, to the extent protected by the American Indian Religious Freedom Act as amended (42 U.S.C. §§1996 and 1996a), in areas and at times designated by the College President or his or her designee for traditional ceremonies.
- B. Smoking or use of tobacco which is permitted for bona fide educational purposes with the prior approval of the College President or the College Vice President for Academic Affairs.
- C. If a facility used or occupied by the College is located upon or within any property or structure not under the exclusive control of the College—such as the property and structure housing the MCC Sarpy Center/La Vista Public Library—then this policy shall

apply within and upon the portions of the property and structure used or occupied by the College or under the control of the College. Within and upon the remainder of such property and structure, College employees, students, and visitors shall comply with any and all smoking and use of tobacco regulations and prohibitions promulgated by the person or entity having control over such remaining portions, as well as with all restrictions and prohibitions applicable by law.

Adopted 6/11/93; Revised 7/26/99; 6/5/06; 8/29/06; 1/16/08; 9/13/13; 9/17/17