Policy *153* Version *2* *10/5/2017*

**Policy Change Cover Sheet**

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| **This form must be attached to each policy presented. All areas in red, including the header, must be completed; if not, it will be sent back to you for completion.** |
|  | *I****f the changes you are requesting include housekeeping, please submit those changes to*** ***ndsu.policy.manual@ndsu.edu*** ***first so that a clean policy can be presented to the committees.*** |
| **SECTION**:  | Policy 153 Smoke-Free Facilities |
| 1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
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| * Is this a federal or state mandate? [ ]  Yes [x]  No
* Describe change:

North Dakota State University has a strong commitment to the health and safety of all employees, students and visitors at NDSU. To reference the University Health and Safety Policy Section 1661, “NDSU hopes to establish a comprehensive safety policy that facilitates the protection of life and property by providing a safe University work and learning environment that is free of recognized hazards that could cause injury, illness or property damage”*.* While NDSU certainly maintains a safe work and learning environment, it is critical to highlight that tobacco use is a globally recognized health hazard known to cause injury, illness, and death. According to the U.S. Department of Health and Human Services2, tobacco use is the leading cause of premature and preventable death in the United States. With nearly 9 out of 10 smokers starting before the age of 18 and almost all starting by age 263, North Dakota State University needs to protect the health and wellbeing of its students, faculty, staff and visitors by fostering an environment that is not only smoke-free, but completely tobacco-free. According to the 2014 NDSU NDCORE Alcohol and Drug Survey4, within the past year 35.6% of the undergraduate student sample reported using tobacco, which included a range of use from every day to once a year. The Centers for Disease Control and Prevention (CDC)5 report that 13% of US adults aged 18-24 years are current cigarette smokers. It is difficult to compare data from NDSU to the CDC due to the differences in which the data is collected, however, the overall goal is to continue to see the use percentage of any tobacco product decrease. Although the number of tobacco abstainers at NDSU has generally increased each year since 2003, students do not report perceiving this decrease in smoking prevalence amongst their peers4. Amending the current Smoke-Free Facilities policy to a Tobacco-Free Campus policy will not only aid in the encouragement of cessation, but will assist in shifting the perception of student tobacco use. Additionally, NDSU is the sole remaining campus within the North Dakota University System whose policy does not include smokeless tobacco use. In addition to the colleges and universities within NDUS, The American Lung Association also includes Trinity Bible College, United Tribes Technical College, University of Jamestown, and University of Mary as colleges and universities within the state of North Dakota that indicate a 100% tobacco-free policy6. These policies cover the entire college or university, versus just one of their locations. This list does not include colleges with “smokefree campus” policies that do not address other forms of tobacco use. As stated within the American Lung Association Tobacco Free Colleges and Universities website6, “prohibiting only cigarette smoking may unintentionally lead to increased use of smokeless tobacco products, which are heavily marketed to young adults and others for use in settings where smoking is not allowed. Because these products are not safe alternatives to smoking, it is important that they be addressed in campus policies and related educational activities”. At the very least, consistency across all NDUS campuses is needed related to a tobacco-free policy. By amending the current Smoke-Free Facilities policy to an inclusive Tobacco-Free Campus policy, NDSU will be taking a critical stance for the health of the campus, the Fargo-Moorhead community, and the state of North Dakota. With the research to support a policy prohibiting the use of all tobacco products, proposed Policy 153 amendments include: * Narrative regarding the importance of a tobacco-free policy
* Additional definitions surrounding the use of tobacco and associated products, campus property, and personnel impacted by proposed policy.
* Stricter prohibition with the elimination of current exemptions and exceptions to Northern Crop Institute and N.D. Research and Extension Centers.
* Statement included regarding prohibition of tobacco use for both on and off-campus events.
* Clarified current prohibition that includes private vehicles on Campus Property.
* Statement included reiterating the current Student Affairs Advertising Guidelines regarding the prohibition of tobacco advertising and sponsorship.
* Statement included to prohibit the sale or distribution of tobacco products
* Exemption included to allow instruction and/or research related activities
* Statement included addressing the communication of the policy to the students, employees, and public.
* Section included addressing policy enforcement
* Updated and added resources for tobacco cessation.

References:1 North Dakota State University Policy Manual Section 166 University Health and Safety Policy. [cited 2017, Jan 4]. Available from <https://www.ndsu.edu/fileadmin/policy/166.pdf>2 U.S. Department of Health and Human Services. Ending the Tobacco Epidemic [cited 2017, Jan 4]. Available from <https://www.hhs.gov/ash/initiatives/tobacco/>3 U.S. Department of Health and Human Services. The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014. [cited 2017, Jan 4]. Available from <https://www.surgeongeneral.gov/library/reports/50-years-of-progress/full-report.pdf>4 NDSU NDCORE Alcohol and Drug Survey Tobacco Use Summary (2014). [cited 2017, Jan 4]. Available from <https://www.ndsu.edu/fileadmin/alcoholinfo/2014_CORE_Tobacco_Summary_FINAL.pdf>5 Centers for Disease Control and Prevention. Cigarette Smoking Among Adults—United States, 2005–2015. Morbidity and Mortality Weekly Report 2016;65(44):1205–11. [cited 2017, Jan 6]. Available from <https://www.cdc.gov/mmwr/volumes/65/wr/mm6544a2.htm?s_cid=mm6544a2_w>6 American Lung Association. Tobacco Free Colleges and Universities. Last updated: December 14, 2016. [cited 2017, Jan 6]. Available from <http://www.lung.org/our-initiatives/tobacco/smokefree-environments/tobacco-free-colleges.html?referrer=https://www.google.com/> |
| 1. **This policy change was originated by (individual, office or committee/organization):**
 |
| * Emily Hegg, Assistant Director of Health Promotion, Student Health Service / 10-5-17
* emily.hegg@ndsu.edu
 |
| ***This portion will be completed by Mary Asheim.***Note: Items routed as information by SCC will have date that policy was routed listed below. |
| 1. **This policy has been reviewed/passed by the following (include dates of official action):**
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| **Senate Coordinating Committee:** | 10/12/17 |
| **Faculty Senate:** |  |
| **Staff Senate:** |  |
| **Student Government:** |  |
| **President’s Cabinet:** |  |

The formatting of this policy will be updated on the website once the **content** has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

**North Dakota State University
Policy Manual
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**SECTION 153
Tobacco-Free Campus**

#### SOURCE: SBHE Policy Manual, Section 917

#### Fargo Municipal Code of Ordinances 10-1001 through 10-1002North Dakota Century Code 23-12-09 through 23-13-11NDSU President

The use of tobacco products is linked to many health hazards including cancer, heart disease, stroke, lung disease, diabetes and Chronic Obstructive Pulmonary Disease (COPD). Use of Tobacco Products is the leading cause of preventable death and disability in North Dakota. North Dakota State University is committed to promoting healthier educational, work and living environments. North Dakota State University recognizes the serious health risks associated with the use of Tobacco Products, both to users and non-users alike, and believes that the use of Tobacco Products is detrimental to the health and safety of students, employees and visitors.

This tobacco-free policy is established to:

1. Reduce the high incidence of tobacco use in North Dakota.

2. Protect the health and safety of all students, employees, and the general public.

3. Establish a standard of healthy, tobacco-free behavior.

Definitions:

“Campus Property” includes all property, both indoor and outdoor, that is owned, operated, leased, occupied or controlled by NDSU, including all buildings, stairwells, parking lots, offices, green spaces and sidewalks that are located on such property. Campus property also includes all vehicles owned or leased by NDSU and all private vehicles during the time in which those vehicles are on NDSU property and/or used for NDSU work-related activities.

“Off-Campus, School-sponsored Event” means any event sponsored by NDSU that does not take place on Campus Property.

“Employee” means any person employed by NDSU in a full-or part-time capacity, or any position contracted for or otherwise employed, with direct or indirect monetary wages or profits paid by NDSU, or any person working on Campus Property on a volunteer basis. The term includes all exempt and non-exempt employees, contactors, vendors and consultants.

“Student” means any person enrolled in any educational course or program offered by NDSU.

“Visitor” means any person who is not a Student or Employee.

"Tobacco products" shall mean, any product that is made from or derived from tobacco, which contains nicotine or a similar substance, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, snus, or an electronic smoking device. Tobacco product also includes pipes and rolling papers, but does not include any product specifically approved by the U.S. Food and Drug Administration for legal sale as a tobacco cessation product and is being marketed and sold solely for that approved purpose.”

“E-cigarette” means any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. E-cigarettes includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance (liquid, gel or other whether or not they contain nicotine) intended to be aerosolized or vaporized during the use of the device. In addition, e-cigarette does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product where such product is marketed and sold solely for such approved purpose.

“Tobacco Use” means the use of any Tobacco Product in any form. Tobacco Use includes, but is not limited to, smoking, heating, inhaling, chewing, absorbing, dissolving or ingesting any Tobacco Product.

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or hookah, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. Smoking also includes the use of an e-cigarette which creates a vapor, in any manner or any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of tobacco in this Policy.

To support and model a healthy lifestyle for our students, employees and community, North Dakota State Universityestablishes the following tobacco-free policy.

Policy:

1. NDSU prohibits the use of all Tobacco Products on Campus Property. This includes, but is not limited to, the use of Tobacco Products by employees, students, contractors, vendors, and visitors to NDSU.
2. The use of Tobacco Products is prohibited at all events held on Campus Property, whether or not such events are sponsored by, or associated with, NDSU, and all Off-Campus, School-sponsored Events.
3. The use of Tobacco Products is prohibited in state-owned or leased vehicles and motorized equipment also to include private vehicles on Campus Property and during the time in which private vehicles are being used for NDSU work-related activities.
4. All tobacco-related promotions, advertising, marketing, distribution, sponsorship, and acceptance of financial contributions and/or gifts are prohibited on Campus Property, at Off-Campus, School-sponsored events, and in all publications controlled by NDSU.
5. NDSU prohibits the sale or distribution of Tobacco Products on Campus Property and at Off-Campus, School-sponsored Events.

Exemptions:

1. It is not a violation of this policy for the use of Tobacco Products during specific activities used in connection with the practice of traditional Native American spiritual or cultural ceremonies. Ceremonial use exceptions must be approved in advance by the Vice Provost for Student Affairs and Enrollment Management.
2. It is not a violation of this policy for Tobacco Products to be included in instructional and/or research related activities conducted by an employee or an approved visitor in a controlled laboratory setting on Campus Property. Instructional and/or research activities must be approved in advance by the Vice President for Research and Creative Activity.
3. It is not a violation of this policy for Tobacco Products to be used 150 feet away from all Research Extension Centers’ buildings and structures.

Communicating the Policy to Students, Employees, & Public:

This policy will be included in the NDSU Policy Manual and the Code of Student Conduct and communicated as part of the employee and student orientation. North Dakota State University shall post signs indicating that the Campus Property is tobacco-free in all locations and in the manner identified in NDCC 23-12-10.4.1(a) and (b). In addition, notices should be posted in other highly visible places on Campus Property including, but not limited to, walkways, athletic fields, parking lots and at all Off-Campus, School-sponsored Events. Students, employees and the public will be notified of this policy in writing or electronically and, when feasible, through verbal announcements at school-sponsored events.

Enforcement:

All individuals on Campus Property or at an Off-Campus, School-sponsored Event share in the responsibility for adhering to and enforcing this policy. All members of the NDSU community are expected to support this policy and cooperate in its implementation and enforcement. Students, employees and visitors violating this policy should be reminded of the policy and asked to comply.

Violations of the policy by students may be cause for disciplinary action in accordance with the Code of Student Conduct.

Violations of the policy by employees will be handled in accordance with written personnel policies contained in the NDSU Policy Manual.

Visitors violating this tobacco-free policy will be asked to refrain from using Tobacco Products while on Campus Property or to leave the premises. Law enforcement officers may be contacted to escort visitors off the Campus Property or to cite the visitor for trespassing if the person refuses to leave the Campus Property.

Cessation Resources:

Dangers of tobacco use can be found at the [U.S. Department of Health & Human Services](https://betobaccofree.hhs.gov/) and [Centers for Disease Control and Prevention](https://www.cdc.gov/tobacco/) websites.

Students requesting tobacco cessation assistance are encouraged to visit with a [NDSU Student Health Service](https://www.ndsu.edu/studenthealthservice/) Certified Tobacco Treatment Specialist.

Tobacco cessation resources can be found on the [North Dakota Department of Health Tobacco Prevention and Control](http://www.ndhealth.gov/tobacco/cessation.htm) website.

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HISTORY:

New June 21, 1990

Amended April 2006

Amended February 2008

Amended March 1, 2010

Housekeeping December 2010

Housekeeping May 31, 2012

Housekeeping April 11, 2013

Housekeeping April 22, 2013