A. PURPOSE

The purpose of this policy is to set forth the University's restrictions on the use of tobacco and smoking-related products, and electronic cigarettes and vaporizers.

B. AUTHORITY

*Code of Virginia Section 23.1-1301, as amended,* grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 6.01(a)(6) of the *Board of Visitors Bylaws* grants authority to the President to implement the policies and procedures of the Board relating to University operations.

*Executive Order 41 (2006)* bans smoking in offices occupied by executive branch agencies and institutions, including institutions of higher education.

*Guidance on Executive Order 41 (2006),* published by the Commonwealth of Virginia Department of General Services on January 1, 2007, requires, among other things, that smokers must be at least 25 feet away from facility entrances.

C. DEFINITIONS

**Tobacco and Smoking-related Products** – All tobacco-derived or tobacco-containing products including, but not limited to, cigarettes, cigars, pipes, smokeless tobacco and hookahs. It also includes any product intended to mimic tobacco products or the smoking of any other substance.

**Electronic Cigarettes and Vaporizers** – Battery-operated or electronic devices that simulate smoking and emit vapors.

D. SCOPE

This policy applies to all employees, students, volunteers, employees of affiliated organizations who are paid through the University, and visitors to the institution. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University. Students include all persons admitted to the University who have not
completed a program of study for which they were enrolled; student status continues whether or not the University’s programs are in session. Affiliated organizations are separate entities that exist for the benefit of the University through an operating agreement and include the Foundations, the Community Development Corporation, and the Alumni Association. Visitors include vendors and their employees, parents of students, volunteers, guests, uninvited guests and all other persons located on property owned, leased, or otherwise controlled by the University.

E. POLICY STATEMENT

The use of tobacco and smoking-related products, and electronic cigarettes and vaporizers is prohibited in all facilities and vehicles owned or leased by the University.

The use of tobacco and smoking-related products, and electronic cigarettes and vaporizers is also prohibited within 25 feet of any part of any facility owned or leased by the University, including overhangs, or within 25 feet of air intakes. Smoke or vapors must not drift through opened windows or doors. If buildings have an “overhang,” the 25-foot rule radius is measured from the outside perimeter of the “overhang.”

The use of tobacco and smoking-related products and electronic cigarettes and vaporizers is also prohibited in any other outdoor area where “No Smoking” signs are posted.

This policy does not supersede more restrictive policies that may be derived from and are in compliance with Federal, State or local laws, ordinances, and regulations.

F. PROCEDURES

Guidelines

To enhance the implementation of these general policies, the following guidelines are established:

1. The use of tobacco and smoking-related products, and electronic cigarettes and vaporizers is prohibited in all indoor and enclosed courtyard locations.

2. The use of tobacco and smoking-related products, and electronic cigarettes and vaporizers is prohibited in all outdoor athletic facilities that are defined by a fence or wall and within 25 feet of fence or wall entrances.

3. The use of tobacco and smoking-related products, and electronic cigarettes and vaporizers is prohibited in all University-owned or leased vehicles.

4. The use of tobacco and smoking-related products, and electronic cigarettes and vaporizers is prohibited in any area in which a fire, safety or health hazard exists.

5. All combustible/flammable smoking materials (cigarette butts, matches, etc.) must be disposed of properly in a designated ash urn and not in a waste receptacle or thrown on the ground. Ash urns will be located in proximity to building entrances, and anchored no closer than 25 feet from an entrance door, overhang, or air intakes.
6. In accordance with the Guidance on Executive Order 41 (2006), appropriate signage must be posted in each facility and at parking garage entrances, vestibules and lobbies, loading docks and similar entryways where persons enter and exist a facility.

Implementation

Implementation of this policy is the responsibility of the Director of Facilities Management and/or his/her designee, and will include the following:

1. Informing the campus community of the policy at least annually;

2. Approving and designating where the use of tobacco and smoking-related products, and electronic cigarettes and vaporizers is allowed and prohibited; and

3. Displaying appropriate signage in accordance with Executive Order 44.

Enforcement

Enforcement of this policy depends on respect of the rights of, and cooperation among, all members of the University community. Complaints based on this policy and disputes arising from its implementation should be referred to the Director of Environmental Health and Safety.

Violations of this policy may result in appropriate disciplinary action.

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the Commonwealth’s Records Retention Schedules.

H. RESPONSIBLE OFFICER

Director of Facilities Management

I. RELATED INFORMATION

Board of Visitors Policy 1450 – Faculty Sanctions
Board of Visitors Policy 1530 – Code of Student Conduct
Teaching and Research Faculty Handbook
Adjunct Faculty Handbook
Administrative and Professional Faculty Guidebook
Classified Employee Guidebook
Wage Employee Guidebook
POLICY HISTORY
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Policy Formulation Committee (PFC) & Responsible Officer Approval to Proceed:

/s/ R. Dillard George       July 29, 2014
Responsible Officer

Policy Review Committee (PRC) Approval to Proceed:

/s/ Donna W. Meeks       July 22, 2014
Chair, Policy Review Committee (PRC)

Executive Policy Review Committee (EPRC) Approval to Proceed:

/s/ Robert L. Fenning       July 31, 2014
Responsible Oversight Executive

University Counsel Approval to Proceed:

/s/ James D. Wright       July 31, 2014
University Counsel

Presidential Approval:

/s/ John R. Broderick       August 4, 2014
President

Policy Revision Dates:  December 1, 1988; April 26, 1993; December 1, 2001; August 1, 2007; August 4, 2014

Scheduled Review Date:  August 4, 2019