



OLD DOMINION UNIVERSITY

University Policy

Policy #3220

POLICY ON THE USE OF TOBACCO AND SMOKING-RELATED PRODUCTS, AND ELECTRONIC CIGARETTES AND VAPORIZERS

Responsible Oversight Executive: Vice President for Administration and Finance

Date of Current Revision or Creation: March 3, 2022

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 7.01(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.

[Code of Virginia Section 18.2-371.2, as amended](#), prohibits the purchase or possession of tobacco products, nicotine vapor products, and hemp products intended for smoking by a person under 21 years of age or sale of tobacco products, nicotine vapor products, alternative nicotine products, and hemp products intended for smoking to persons under 21 years of age.

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

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, 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. 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. Smoke or vapors must not be allowed to drift through opened windows, doors, or building fresh-air intakes. 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.

Smoking is also prohibited in state-owned or leased vehicles.

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, flower beds, or mulched areas. Ash urns will be located in proximity to building entrances and anchored no closer than 25 feet from the side of a building.
6. Upon request from building occupants, "No Smoking" signage may be placed at seating areas that fall within 25 feet of a building.

Implementation

Implementation of this policy is the responsibility of the Assistant Vice President for Facilities Management & Construction and/or designee, and will include the following:

1. Approving and designating where the use of tobacco and smoking-related products and electronic cigarettes and vaporizers is allowed and prohibited; and
2. Displaying appropriate signage where and when necessary.

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.

University Vice Presidents and their designees have the overall responsibility for this policy in their areas, and shall inform faculty, staff, students, and visitors (including vendors and contractors) under their jurisdictions of the provisions of this policy.

All faculty, staff, students, visitors, and guests share the responsibility for the support and maintenance of a safe, healthful, and pleasant learning and working environment for the University community and for keeping the campus clean, attractive, and litter-free. Compliance with the policy helps to support a respectful, civil environment for the entire University community.

Violations of this policy may result in appropriate disciplinary action, as determined by the corresponding policy, handbook or guidebook referenced in Section I, Related Information.

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the [Commonwealth's Records Retention Schedules](#).

H. RESPONSIBLE OFFICER

Assistant Vice President for Facilities Management & Construction

I. RELATED INFORMATION

[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](#)

