

# WESTERN NEBRASKA COMMUNITY COLLEGE

## Western Community College Area Board of Governors' Policy

**TITLE:** Tobacco-, Smoke-, and Vape-Free College

**DIVISION:** Administrative Services

**CATEGORY:** College Facilities

**REFERENCE:** American Indian Religious Freedom Act as amended  
(42 U.S.C. §§1996 and 1996a)

**NUMBER:** BP-311

**APPROVAL/DATE:** F. Lynne Klemke, President, WCCA Board of Governors  
Date: May 15, 2019

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### **Purpose**

To establish a policy that prohibits tobacco use and the purchase of tobacco on all property owned and operated by the College. As a public institution of higher education, Western Nebraska Community College believes it has an obligation to exercise leadership by promoting a healthy and safe environment for its students, faculty, staff, and visitors while on property owned and operated by the College. The Tobacco-, Smoke-, and Vape-Free College Policy is part of WNCC's commitment to creating a healthy and sustainable environment for all members of the WNCC community, and is designed to be positive and health-directed.

### **Scope**

This policy applies to all property owned and operated by WNCC and all employees, students, college affiliates, contractors, and visitors.

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### **Policy**

Tobacco use and purchase of tobacco is prohibited on all property owned and operated by the College.

This Tobacco-, Smoke-, and Vape-Free College Policy prohibits the use, sale, advertising, and sampling of all tobacco products on College campuses by all persons on property at Alliance, Sidney and Scottsbluff. This includes all buildings, vehicles, grounds, sidewalks, patios and parking lots, and other outdoor areas owned and/or operated by Western Nebraska Community College. Areas of the campus which were previously designated as tobacco use areas shall now be 100% tobacco-, smoke-, and vape-free.

The College is not requiring faculty, staff, and students to quit using tobacco products, but does expect the policy to be adhered to by all individuals on College property. Products used for cessation of tobacco use approved by the U.S. Drug and Food Administration, including alternative nicotine

products, such as nicotine patches or medication, shall be allowed on College property as long as the product does not produce smoke or vapor emissions.

The Tobacco-, Smoke-, and Vape-Free Policy applies to all College property, whether or not notices are posted, unless specified as an approved exception in Section 1. This policy extends to vehicles not owned or operated by WNCC, while on WNCC property, as well as all vehicles and rental spaces procured for the purpose of a college sponsored event/activity. This policy applies to all employees, students, college affiliates, contractors, and visitors and is applicable twenty-four (24) hours a day, seven (7) days a week.

Littering the campus with the remains of tobacco products or any other waste product is prohibited. Tobacco use is not permitted anywhere on college property, except as provided in Section 1 below.

### **Section 1: Exceptions with prior approval**

*Tobacco use may be permitted on college property for only the following exceptions:*

For the exception to be approved, the College employee and/ or student (serving as the Host, Sponsor, Coordinator, or Organizer for exception A) must obtain a written waiver signed by the Vice President of Administrative Services and the Dean of Students prior to the initiation of the tobacco use. Any such waiver will designate a specific area/room within the facility, and a specific day and time, and college-sponsored event/program objectives and requirements. If smoke is involved, there must be an inspection by the Scottsbluff Fire Prevention Officer and concurrence by the Environmental Health and Safety Coordinator. Smoke, like any other contaminant, will be controlled.

**Exception 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).

**Exception B:** 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 in Alliance—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.

Products used for cessation of tobacco use approved by the U.S. Drug and Food Administration, including alternative nicotine products, such as nicotine patches or medication, shall be allowed on College property as long as the product does not produce smoke or vapor emissions.

### **Section 2: Responsibilities**

1. All members of the College community are responsible for proactively and respectfully informing those discovered to be in violation for adherence to this Tobacco-, Smoke-, and Vape-Free Policy.
2. Students, faculty, staff, College affiliates, contractors, and visitors are responsible for complying with this policy while on the College property.
3. Public event organizers on campus are responsible for communicating the Tobacco-, Smoke-, and Vape-Free Policy to program attendees. Organizers and attendees at College public events are required to follow the Tobacco-, Smoke-, and Vape-Free Policy.

4. College community members are empowered to respectfully inform others about the policy in an ongoing effort to enhance awareness of, and encourage compliance with, this Tobacco-, Smoke-, and Vape-Free Policy.
5. Effective implementation of this policy relies on the courtesy, respect, and cooperation of all College community members. If someone is seen using tobacco on College property, an individual may inform the tobacco user of the Tobacco-, Smoke-, and Vape-Free Policy and request that they comply.

### **Section 3: Compliance**

1. All members of the College community are responsible for adherence to this Tobacco-, Smoke-, and Vape-Free Policy.
2. Violation of the Tobacco-, Smoke-, and Vape-Free College Policy may result in a corrective or disciplinary action. Employees discovered to be in violation of the policy may be referred to their supervisor, or Office of Human Resources and student violations will be handled under the Student Code of Conduct. Visitors refusing to comply with the policy may be asked to leave College owned or operated property.

### **Definitions**

**Tobacco** is defined as - all tobacco-derived or tobacco containing products including, and not limited to, cigarettes, electronic nicotine delivery devices such as e-cigarettes and e-hookah, cigars and cigarillos, hookah smoke products, pipes, gutka, bidis, kreteks, nicotine vaporizers, clove cigarettes and oral tobacco (e.g., spit and spitless, smokeless, chew, snuff), dissolvable tobacco, nasal tobacco (e.g. snus), and any other item categorized as a tobacco product by the Food and Drug Administration.

**College Property** is defined as - all buildings, vehicles, grounds, sidewalks, patios and parking lots, and other outdoor areas owned and/or operated by Western Nebraska Community College.

**Tobacco Use** is defined as – the lighting, holding, or other possession of any lighted cigarette, cigar, pipe, or other smoking material, regardless of its composition. It also includes the use or operation of any e-cigarette product, mechanical mod, electronic vaporizer, or other electronic smoking device and use of oral tobacco products.

### **Revising this Policy**

This Board Policy supersedes any prior WNCC policy, procedure, guideline or handbook on this subject matter.

**Adoption Date and Board of Governors' Minutes Item Number:** July 15, 2015 Item H(1)

**Revision Date and Board of Governors' Minutes Item Number:** May 15, 2019 Item 1 (a)

**Prior Policy Number:** 235.0200.15 Use of Tobacco Products on College Property

**Schedule for Review:**

**Divisions/Department Responsible for Review and Update:**

**Sponsoring Division/Department:** Administrative Services

**Repeat Date and Board of Governors' Minutes Item Number:**

**Cross Reference:**

**Procedure(s) for Policy:**  
**Related Policies/References:**