



**BOISE STATE UNIVERSITY**

University Policy 9110

## Smoke and Tobacco-Free Campus

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### **Effective Date**

May 1988

### **Last Revision Date**

October 2019

### **Responsible Party**

Department of Public Safety, (208) 426-6911  
University Health Services, (208) 426-5686

### **Scope and Audience**

This policy applies to all Members of the University Community on University-owned or -leased properties or in University Vehicles.

### **Additional Authority**

- Idaho Code Title 39, Ch. 55
  - Boise City Code 6-23, Smoke-Free Air Ordinance
  - University Policy 2020 (Student Code of Conduct)
  - University Policy 9040 (University Vehicles)
  - University Policy 12020 (Exclusion from Campus)
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## **1. Policy Purpose**

To establish policy and procedures regulating Smoking and the use of Tobacco Products, nicotine, and Electronic Smoking Devices and paraphernalia on University-owned or -leased properties or in University Vehicles.

## 2. Policy Statement

Boise State University is committed to providing a safe and healthy environment in which to live, learn, work, and recreate for the campus community. This policy is intended to reduce the health risks related to Smoking and the use of Tobacco Products for the campus community. Tobacco use is the largest preventable cause of death and disease in the United States. Preventing tobacco use and helping tobacco users quit can improve the health and quality of life for the campus community.

## 3. Definitions

### 3.1 Electronic Smoking Device

Any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-Hookah, or vape pen, or under any other product name or descriptor.

### 3.2 Hookah

A water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.

### 3.3 Members of the University Community

University employees, students, affiliate, affiliate faculty, volunteers, contractors, vendors, customers, visitors, and participants in a University-sponsored program or activity.

### 3.4 Smoking

Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, Hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an Electronic Smoking Device which creates an aerosol or vapor, in any manner or in any form (e.g., Vaping), or the use of any oral Smoking device for the purpose of circumventing the prohibition of Smoking in this policy.

### 3.5 Tobacco Product

Any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, Hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation, but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

### 3.6 University Vehicle

A vehicle owned, leased, or otherwise under the control of Boise State University (including vehicles under the control of a specific unit or department).

### 3.7 Vaping

The act of inhaling and exhaling the aerosol (“Smoking”), often referred to as vapor, which is produced by an Electronic Smoking Device (e.g., e-cigarette or similar device).

## 4. Responsibilities and Procedures

### 4.1 General

- a. In accordance with State directives and law, Smoking and the use of Tobacco Products are not permitted in University-owned or -leased buildings, facilities, or areas occupied by State employees.
- b. Boise State applies the non-Smoking and tobacco-free mandate to all University property, and other properties owned or leased by Boise State, including University Vehicles.
- c. Some areas on campus are covered by the [Boise City Smoke Free Air Ordinance](#) enforced by the Boise Police Department. Boise State will not enforce city ordinances on non-University-owned or -leased properties; however, the campus community is expected to follow all applicable city ordinances for the greater good of the campus community.

### 4.2 Enforcement and Failure to Comply

- a. Faculty, staff, and students have a collective responsibility to promote the safety and health of the campus community and therefore, share in the responsibility of enforcement by respectfully informing or reminding others of the non-Smoking and tobacco-free policy

when seeing an individual Smoking or using Tobacco Products on University-owned or -leased properties or in a University Vehicle. Complaints should be brought to the attention of the Department of Public Safety.

- b. The Department of Public Safety has primary responsibility for enforcement efforts.
- c. Supervisors are responsible for ensuring that no person under their supervision is found Smoking or using any Tobacco Product in violation of this policy.
- d. Violations may result in:
  - A fine, set periodically.
  - Referral to the Office of the Dean of Students for student violations, which may result in action through the Student Code of Conduct (University Policy 2020).
  - Referral to Human Resources for employee violations, which may result in discipline, up to and including dismissal.
  - Exclusion from campus under University Policy 12020 (Exclusion from Campus).

#### **4.3 Promotion and Sale of Tobacco Products**

- a. No tobacco-related advertising or sponsorship is permitted on Boise State University's property, at Boise State University-sponsored events, or in publications produced by Boise State University, with the exception of advertising in a newspaper or magazine that is not produced by Boise State University and which is lawfully sold, bought, or distributed on University property. For the purposes of this policy, "tobacco-related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or motto, selling message, recognizable pattern or colors, or any other indicia of product identical to or similar to, or identifiable with, those used for any brand of Tobacco Products or company which manufactures Tobacco Products.
- b. No Tobacco Products or paraphernalia will be sold or distributed as samples on University-owned or -leased property, either in vending machines, the Student Union, or any area on campus.

#### 4.4 Exceptions

- a. U.S. Food and Drug Administration (FDA) approved nicotine replacement therapy is allowed (e.g., patches, gum, inhalers, and lozenges).
- b. Tobacco use may be permitted for controlled research, educational, clinical, or religious ceremonial purposes, but only with prior approval from the dean or director responsible for the facility. The Department of Public Safety must be notified of any pre-approved exceptions.
- c. Officially designated and clearly marked areas for Smoking and the use of Tobacco Products may be created outside Boise State University event venues for use during non-University events.

#### 5. Related Information

Boise City Smoke Free Air Ordinance

<https://citycode.cityofboise.org/Home/Detail/106168>

University Health Services

Tobacco Cessation Information and Resources

<https://www.boisestate.edu/broncofit/tobacco-and-nicotine/>

(208) 426-1459

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#### Revision History

December 2001; September 2008; December 2009; December 2013; March 2015; February 2017; October 2019