

College of Charleston Student Handbook Tobacco Free Campus Policy 2016-2017

COLLEGE *of* CHARLESTON

STUDENT AFFAIRS

The College of Charleston reserves the right to make changes in its policies, regulations, and procedures as printed herein through normal channels. The *Student Handbook* is produced by the Division of Student Affairs.

Equal Opportunity / Affirmative Action Statement

The College of Charleston is an Affirmative Action / Equal Opportunity employer and does not discriminate against any individual or group on the basis of gender, sexual orientation, gender identity or expression, age, race, color, religion, national origin, veteran status, genetic information, or disability.

Inquiries and complaints should be directed to the Office of Equal Opportunity Programs, College of Charleston, 66 George St., Charleston, South Carolina 29424, 843.953.5754.

The College's Affirmative Action Plan may be reviewed by contacting the Office of Equal Opportunity Programs or the Office of Human Resources.

Notice of Non-Discrimination

The College of Charleston is committed to a policy of equal opportunity for all persons and does not discriminate on the basis of age, race, color, religion, national origin, sex (including pregnancy), sexual orientation, gender identity or expression, veterans' status, genetic information, disability or other category protected by applicable law in its educational programs and activities, employment or admissions. The College of Charleston also prohibits retaliation against any person for bringing a complaint of discrimination or for participating in an investigation of a complaint of discrimination.

The Office of Equal Opportunity Programs maintains additional information and policies related to the prohibition of discrimination, harassment, and sexual misconduct as well as access and equity at: eop.cofc.edu/index.php. Inquiries regarding the College of Charleston's non-discrimination policies or complaints of discrimination or harassment may be directed to the director of the Office of Equal Opportunity Programs at 66 George Street, Charleston, SC 29424, 843.953.5754 or eop@cofc.edu.

Questions about Title IX may be directed to the College of Charleston's Title IX coordinator or the deputy Title IX coordinator in the Office of Equal Opportunity Programs at: 66 George Street, Charleston, SC 29424, 843.953.5754 or eop@cofc.edu, or to the assistant secretary for the Office of Civil Rights at the U.S. Department of Education.

An electronic version of the *Student Handbook* is currently available on the World Wide Web. You can access it through the College of Charleston home page at <http://studentaffairs.cofc.edu/honor-system/studenthandbook/index.php>

36. Tobacco-Free Campus Policy

The Tobacco-Free Policy <http://policy.cofc.edu/documents/6.1.5.pdf> Updated 1/21/2016

Adoption Date: October 18, 2013

Implementation Date: July 1, 2014

1.0 Preface

It is the intent of this Tobacco-Free Campus Policy to promote a safe, clean, and healthy environment for College of Charleston (hereafter, "College") employees, students, visitors, and guests.. The Policy shall promote the existence of a tobacco-free environment for our campus community, so that the negative effects of tobacco use are minimized for community members. 1

Reasonable and ongoing efforts shall be made to alert the campus community, including visitors too campus, regarding the status off the College as a tobacco-free campus. Appropriate signage on campus shall describe the Policy.

Effective implementation of this policy depends on the courtesy, cooperation, and respect of all members of the campus community. The College of Charleston promotes a safe, clean and healthy environment on all its property and prohibits smoking inside and at all designated smoke-free entranceways to College facilities.

2.0 Definition

Except as otherwise specified in this Policy, "tobacco products" include, but are not limited to, cigarettes; cigars; pipes; chewing tobacco; snuff; electronic cigarettes 2; water pipes (hookahs); bides; kreteks; and all other technologies or device's allowing for the ingestion, combustion, inhalation, or other use of tobacco..

3.0 Statement of Policy

Use of all tobacco products is prohibited in all College-owned or leased buildings; in all buildings on College-owned or leased land; on all College-owned or leased property, including outdoor seating areas; and in all College-owned, leased, and rented vehicles. Use of tobacco products is prohibited in all those places here identified, including but not limited to, offices (including private offices), classrooms, laboratories, stairwells, elevators, restrooms, hallways, porches and piazzas, rooftops, indoor and outdoor athletic facilities, residence halls and historic properties, shuttle buses, shuttle bus stops, parking structures and parking areas on College-owned or College-leased property, sidewalks on College-owned or College-leased property, lobbies and waiting areas, outdoor benches, green spaces on campus, and other common areas.

Use of tobacco products is permitted in personal vehicles parked or being driven on College-owned or leased property, provided that the windows and doors of such personal vehicles are closed (i.e., tobacco products are used in an enclosed vehicle space) and tobacco waste products are stored in the vehicle and disposed of at off-campus locations.

This policy does not restrict or prohibit the lawful possession of tobacco products on the College of Charleston campus.

4.0 Exceptions

The President of the College (or the President's designee), at his or her sole discretion, may permit limited and appropriate individual exceptions to this policy in support of the requirements of sponsored research related to tobacco, consistent with the mission of the College. Such exceptions must be made in writing and shall be in effect only for the duration of the research study. Smoke produced in the conduct of such sponsored research shall be treated as a contaminant and controlled.

The President of the College (or the President's designee), at his or her sole discretion, may permit limited and appropriate individual exceptions to this policy (e.g., in support of religious or artistic activities), consistent with the obligations of Constitutional law and other applicable laws and regulations. Such exceptions must be made in writing and shall be in effect only for the duration of the activity approved by the President (or the President's designee). Smoke produced in the conduct of such activity shall be treated as a contaminant and controlled.

Use of tobacco products may be permitted on properties the College owns but leases or regarding which the College otherwise conveys an interest (e.g., an easement) to a non-College party, according to the provisions of the applicable lease or agreement, upon a compelling reason, and with the prior written approval of the Executive Vice President for Business Affairs (or her or his designee).

5.0 Sale and Advertisement of Tobacco Products

The sale, sampling, or advertisement of tobacco products shall be prohibited on the College of Charleston campus and in all College publications.

6.0 Policy Coverage

This Policy shall be applicable to the College Board of Trustees; faculty and staff of the College, whether part-time, full-time, or temporary; students while attending or employed by the College; contractors and consultants performing work or providing services on College-owned or leased property; individuals and organizations renting, leasing, or otherwise granted permission to use campus facilities; College affiliates; alumni and alumnae, guests, visitors, or invitees of the College; and members of the general public. All members of the campus community and members of the general public shall comply with this policy.

7.0 Policy Violation and Discipline

Employees of the College may be disciplined for violation of this policy, consistent with the provisions of College Policy 9.1.2. Students of the College may be disciplined for violations of this policy, consistent with the Student Code of Conduct.

Other individuals who violate Policy 6.1.5 and are not covered by the terms of Policy 9.1.2 or the Student Code of Conduct may be warned by the Department for Public Safety. Visitors or members of the general public who refuse to comply with the Policy may be asked to leave campus by the Department of Public Safety.

8.0 Policy Maintenance

Unless other individuals are designated by the President of the College, the Vice President of Human Resources and the Executive Vice President for Student Affairs shall be responsible for the maintenance of this Policy. Those responsible for the maintenance of the policy shall cause a review of this Policy to be undertaken at least once during each five-year period.

9.0 Operating Procedures

The President's Executive Team, subject to review and determination by the President of the College, may approve operating procedures to implement this Policy. Such procedures may not be inconsistent with this Policy nor may they eliminate or expand the scope of the prohibitions already described in the Policy.

10.0 Effective Date

Effective July 1, 2014, the predecessor Policy 6.1.5, "Smoking Policy," as adopted in 2006, is repealed in its entirety and replaced by the new Policy, "Tobacco-Free Campus Policy," also to be designated Policy 6.1.5. The predecessor Policy 6.1.5, "Smoking Policy," shall remain in effect through June 30, 2014. No penalty shall be levied under the terms of the new Policy prior to July 1, 2014

11.0 Amendments

This Policy may be amended consistent with the provisions of the Campus Wide Policy Making Procedures.

1. Effective October 21, 2013, and until December 31, 2015, and as resources permit, the College shall provide cessation programs for all members of the campus community who wish to end their use of tobacco products. Additional information on tobacco cessation programs is available from the South Carolina Department of Health and Environment Control (DHEEC) at 803.545.4467 and at <http://www.scdhec.gov/Health/TobaccoCessation/>

2 Electronic cigarettes use liquid nicotine, which is derived from tobacco plants. Testing by the Food and Drug Administration has found known carcinogens and toxic chemicals in some of the nicotine cartridges for two leading brands of electronic cigarettes.

SANCTIONS. THIS SECTION IS NOT PART OF THE POLICY ABOVE AND APPLIES TO STUDENTS ONLY. THE EXPECTATION IS THAT STUDENTS WHO USE A TOBACCO PRODUCT OR ANY OTHER PROHIBITED ITEM BY THIS POLICY ON CAMPUS PROPERTY WILL PROMPTLY AND APPROPRIATELY DISPOSE OF THE PRODUCT OR MOVE OFF CAMPUS PROPERTY WHEN ASKED BY ANY MEMBER OF CAMPUS COMMUNITY. MEMBERS OF THE CAMPUS COMMUNITY SHOULD FORWARD TO THE OFFICE OF THE DEAN OF STUDENTS THE NAME OF ANY STUDENT WHO FAILS TO COMPLY WITH AN APPROPRIATE REQUEST.

First Violation (Resolution by Student Affairs official) Sanctions may include, but are not limited to:
A. Receiving a verbal warning.

Second Violation (Resolution by Student Affairs official) Sanctions may include, but are not limited to:
A. Receiving a verbal warning and
B. Educational and restorative activity.

Third Violation (Resolution by Student Affairs official/Conduct Body) Sanctions may include, but are not limited to:
A. Receiving a written warning and
B. Educational and restorative activity.
