

6.36 Tobacco-Free Campuses

A. Purpose

The purpose of this policy is to promote the health, well-being, and safety of students, Employees, and visitors with the establishment of a tobacco-free campus in compliance with [Regents' Rule 80111: Smoke Free or Tobacco Free Policies](#). As of August 15, 2016, the University prohibits the use of all smoking devices and tobacco products on University property.

B. Persons Affected

This Policy applies to all individuals associated with or on the premises of the University, including without limitation Employees, faculty, students, patients, visitors, volunteers, contractors, or vendors.

C. Definitions

1. **Electronic Nicotine Delivery System (ENDS):** A battery-powered vaporizer which simulates tobacco smoking by producing an aerosol that resembles smoke. May also be referred to as an electronic cigarette (e-cigarette) or personal vaporizer (PV).
2. **Faculty member:** See [HOP 1.05: Definitions of Terms](#)
3. **Smoking device:** Any device used to smoke tobacco products (e.g., pipes, water pipes, hookahs) as well as any ENDS.
4. **Tobacco product:** Any product made or derived from tobacco that is intended for human consumption, including without limitation cigarettes, cigars, bidis, kreteks, and any form of smokeless tobacco (e.g., snuff, chewing tobacco).
5. **University property:** Property located within the state of Texas that is owned, operated, leased, occupied, or controlled by the University. For purposes of this Policy, this includes but is not limited to all buildings and structures (e.g., external stairwells, walkways, balconies), grounds, sidewalks, parking lots, walkways, attached parking structures, and vehicles owned or controlled by the University.

D. Policy

1. General Use

Use of all smoking devices and tobacco products on University property is prohibited.

2. Public Events

1. **Applicability.** Organizers and attendees at public events (e.g., conferences, meetings, public lectures, social events, cultural events, sporting events) on University property will be required to abide by this Policy.

2. **Responsibility.** Organizers of such events are responsible for communicating the Policy to attendees.

3. Advertising

Advertising, sale, or free sampling of tobacco products on University property is prohibited.

4. Litter

Littering University property with the remains of tobacco products or any other related waste product is prohibited.

5. Personal Vehicles

No smoking device or tobacco product is allowed in personal vehicles when transporting persons on authorized University business.

6. Violations

1. **Enforcement.** Violations of this Policy can and will be enforced through routine inspections or the result of complaints from the campus community.
2. **Complaints.** If someone is seen using smoking devices or tobacco products on University property, an individual may inform the user of this Policy and request compliance with this Policy, or the individuals may contact the UPD, OHR, or the Office of Compliance for appropriate resolution.
3. **Office of Compliance.** Where cases are referred to the Office of Compliance for resolution, such resolution may include referral to one of the following:
 - a. OHR when the concern is related to a staff or faculty member.
 - b. The Office of the Vice President for Student Success or a designee of the office when the concern is related to a student.
 - c. Campus Auxiliary or a designee of those services when the concern is related to contractors.

7. Penalties for Violation

1. **Fines.** Violation of this Policy constitutes a Class C misdemeanor with a possible fine up to \$500 per occurrence.
2. **Administrative channels.** Any violations of this Policy will be handled through departmental administrative channels and administrative procedures.
3. **Disciplinary action.** Failure to comply may result in disciplinary action, up to and including termination of employment.

8. Exemptions to the Policy

Smoking devices or tobacco products may be permitted under the following circumstances:

1. **Research.** Sponsored research involving smoking devices or tobacco products, provided the Employee obtains the prior approval from the Office of Sponsored Research and a waiver is requested and

granted in accordance with sponsored research requirements, if any. Smoke, like any other laboratory air contaminant, shall be controlled.

2. **Performances.** By artists or actors who participate in the University-authorized performances that require use of smoking devices or tobacco products as part of the artistic production, where prior approval of the appropriate vice president and other required officials is obtained.
3. **Special circumstances.** Under special circumstances, which may include clinical or educational purposes, where prior approval of the appropriate vice president and other required officials (e.g., the Office of Environmental Health & Safety) is obtained.

9. Awareness and Education

The implementation of this Policy is augmented by an awareness and education campaign that includes but is not limited to:

1. **Notification of Policy.** Current and prospective students and Employees may be notified of the Tobacco-Free Campus Policy by communication available on the University websites, during the admission and enrollment process, and/or during new hire orientation for Employees.
2. **Informational methods.** Informational meetings, postings, and electronic notifications may be used to heighten awareness.
3. **Signage.** Notices bearing the message "Tobacco-Free Campus" or similar signage may be posted around campus property. However, the Tobacco-Free Campus Policy applies to all University property whether or not notices are posted, unless specified as an approved exception.
4. **Tobacco cessation assistance.** The University is committed to supporting and assisting all students and Employees who wish to stop using tobacco products. For a full listing of tobacco cessation resources, please visit [the University website](#) or the [Centers for Disease Control and Prevention \(CDC\) website](#).

E. Reference Sources and Authority

- [Texas Administrative Code, Title 25, Section 703.20: Certification of Tobacco-Free Policy for Grant Recipients](#)
- [Texas Penal Code, Title 10, 48.01: Smoking Tobacco](#)
- [Texas Education Code, Title 3, Section 51.202: Protection of Buildings and Grounds](#)
- [Regents' Rule 80111: Smoke Free or Tobacco Free Policies](#)

F. Review Responsibilities and Dates

The Policy Owner for this Policy is the Chief Human Resources Officer, and this Policy shall be reviewed every three (3) years or sooner, if necessary, by the Policy Owner or their designee.

AMENDED: 12/2021

REVIEWED: 02/2024
