

1.07.00.10 Prohibitions on Smoking and Use of Smokeless Tobacco Products



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Policy/Guideline Area

Governance, Organization, and General Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

The purpose of this policy is to establish system-wide policies on smoking and the use of tobacco products on property owned or controlled by the Tennessee Board of Regents. This policy applies to all Colleges and System Office, students, faculty, staff, and visitors.

Definitions

- **Smoking** means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette (including an electronic cigarette), pipe or other lighted instrument or product that emits smoke or vapor, in any manner or in any form.
- **Vaping** means the act of inhaling and exhaling the aerosol, often referred to as vapor, which is produced by an e-cigarette or similar device. Under this policy, vaping is considered smoking.
- **Electronic Cigarette (e-cigarette)** means an electronic device that converts nicotine into a vapor that is inhaled by the user.
- **Smokeless Tobacco** includes snuff, which is fine-grain tobacco that often comes in pouches that users put between their lower lip or cheek and gum, and chewing tobacco, which comes in shredded, twisted or bricked tobacco leaves.

Policy/Guideline

- I. Prohibitions on Smoking and Use of Smokeless Tobacco

- A. Smoking and use of smokeless tobacco are prohibited in all buildings owned or operated by the Tennessee Board of Regents and its institutions. This prohibition applies to all hallways, classrooms, laboratories, seminar/meeting rooms, offices, restrooms, indoor and open-air athletic facilities, performance halls, parking garages and all other spaces in institution-owned or operated buildings.
- B. Entrances to all institution buildings are designated as smoke and smokeless tobacco-free. Unless otherwise posted, smoking and use of smokeless tobacco are prohibited within twenty-five (25) feet of all doorways, windows, and ventilation systems of all institution buildings. Smokers are responsible for ensuring that all smoking activity, including the lighting and discarding of smoking materials, takes place more than twenty-five (25) feet from the doorways, windows, and ventilation systems of institution buildings to avoid infiltration of smoke into the buildings. Smokeless tobacco users are responsible for discarding the products of their tobacco use responsibly. The smokeless tobacco and/or its juices must be spat into a disposable cup or container that is then disposed of in the trash. Spitting tobacco and/or its juices on the floor, sidewalk, grass, landscape beds or pavement is prohibited.
- C. Smoking and use of smokeless tobacco are prohibited in all motor vehicles owned, leased or operated by the institution. This prohibition applies to motor vehicles rented by the institution, but does not apply to motor vehicles rented individually by an employee for use in institution business travel unless the travel is being reimbursed by the institution and includes another employee who objects to smoking or smokeless tobacco use in the vehicle.
- D. Notwithstanding anything in this policy to the contrary, Tennessee law prohibits smoking in all private motor vehicles when being used for the public transportation of children or as part of health care or day care transportation.

II. Smoke-Free or Tobacco-Free Campuses

- A. Notwithstanding Section I., above, an institution may adopt an institutional policy regarding smoking and use of smokeless tobacco that prohibits smoking or use of smokeless tobacco in all indoor and outdoor areas of its campus.

III. Sale of Tobacco Products and E-cigarettes Prohibited

- A. The sale of any products containing tobacco, e-cigarettes and other vaping supplies is prohibited on all property owned or controlled by the Tennessee Board of Regents and its institutions.

IV. Compliance and Enforcement

- A. This policy and/or the institution's policy on smoking and use of smokeless tobacco shall be communicated in writing to all existing employees, all prospective employees upon their application for employment, all students, and all persons who violate the prohibition on smoking or use of smokeless tobacco.
- B. The institution shall post signs reasonably calculated to inform the public of the institution policy regarding smoking and the use of smokeless tobacco. If smoking and use of smokeless tobacco are permitted in designated areas, those areas must be clearly marked.
- C. Institution employees may report violations of this policy to their immediate supervisor, the next level of supervision, or the institution employee directly responsible for the facility in which the violation occurs. Violations may also be reported by employees, students or others to an office designated by the institution to receive such complaints.
- D. Any institution employee who is found to have violated this policy may be subject to disciplinary action.
- E. Any institution student who is found to have violated this policy may be subject to discipline in accordance with the System-wide Rules on Student Conduct and Disciplinary Sanctions Chapter 0240-02-03 and the applicable institution policy.

- F. Visitors to the campus who are observed violating this policy shall be informed of the policy and asked to cease the violation immediately or leave the campus. If they refuse, security should be called to escort the visitor from the campus.
- G. Nothing in this policy shall be construed to limit a supervisor's ability to establish, regulate, or limit employee work breaks, whether for smoking or otherwise.

Sources

Authority

T.C.A. § 49-8-203, T.C.A. § 49-7-135

History

New Policy approved at Board Meeting, Dec. 14, 2017. Replaces Policy 3:05:01:01 Alcoholic Beverages and Smoking. Alcohol policy is now separate, 1:07:00:05. TBR Meeting, August 17, 1973; September 30, 1983; December 7, 2007.