

## TOBACCO FREE ENVIRONMENT POLICY

### I. POLICY

- A. Niagara County Community College is committed to improving the health of its employees through a comprehensive program that discourages the use of tobacco products on its property.
- B. Effective September 1, 2010 the use, distribution, or sale of tobacco products, including any smoking device, or carrying of any lighted smoking instrument, in NCCC buildings or on NCCC premises is prohibited. This includes, but is not limited to all NCCC: sidewalks; parking lots, landscaped areas, recreational areas and buildings on any NCCC property and in NCCC owned, rented or leased vehicles, and at events on NCCC premises. Smoking materials must be extinguished prior to entering upon any NCCC property without exception. All tobacco products in use must be disposed of prior to entering upon any NCCC property or exiting a personal vehicle: Improper disposal includes: Spitting smokeless tobacco product; Littering (i.e. discarded cigarette butts, throwing or disposing of cigarette butts out of windows, leaving spit container).
- C. For the purpose of this policy, "tobacco" is defined to include any cigarette, e-cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product; and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form.
- D. All Niagara County Community College employees, students, visitors and contractors are required to comply with this policy, which shall remain in force at all times.
- E. Violations of this policy by students and employees will result in the action prescribed in section V. C below.

### II. RATIONALE

Niagara County Community College is committed to improving the health of its employees, students and visitors and acknowledges and supports the findings of the Surgeon General that tobacco use in any form, including exposure to secondhand smoke is a significant health hazard. NCCC further recognizes that environmental tobacco smoke has been classified as a Class-A carcinogen. In light of these health risks, and in support of a healthy learning/working environment, the college, through a comprehensive program, prohibits the use of tobacco products on its property.

### III. POSITIVE REINFORCEMENT

As the primary purpose of this policy is to improve the health of employees and students, the college is committed to providing opportunities for persons to address their use of tobacco. The college prefers not to revert to negative means of enforcement and trusts that persons will comply voluntarily. To this end, the college will offer smoking cessation programs, provide educational materials, and generally seek to influence compliance in a positive manner. The College Wellness Center and the Health Education Center are available to all persons interested in seeking ways to address their use of tobacco.

### IV. AUTHORITY

- A. The enforcement of this policy is the responsibility of Campus Security personnel.
- B. Campus Security Officers are authorized to issue tickets for violations and control and regulate facilities use as prescribed in this policy.

#### V. ENFORCEMENT

- A. Visitors to the campus using tobacco will be asked to discard the tobacco product. Visitors failing to comply with the request will be escorted off campus.
- B. Organizations using college facilities will be given written notification that tobacco products are not permitted on campus and that they agree to publicize the college's policy in their notices.
- C. While the college hopes that it is not necessary to address violations, it is necessary to publicize the means by which it may be necessary to address violations by employees or students. The purpose, therefore, of the following systematic approach is to influence compliance with this policy in a positive manner while providing progressive steps leading to disciplinary action. Violations of this policy by students or employees will be handled in a manner described below and are not subject to the disciplinary procedures outlined in a collective bargaining agreement or student code of conduct.
  - I. 1<sup>st</sup> offense - \$25 fine
  - II. 2<sup>nd</sup> offense - \$50 fine
  - III. 3<sup>rd</sup> offense – \$100 fine
  - IV. 4<sup>th</sup> and subsequent offenses - \$200 fine
- D. Monies collected for violations of the tobacco policy will be used to support smoking cessation programs with any excess funds contributed to the Niagara County Community College Foundation's Unrestricted Fund.

#### VI. PROCESSING OF VIOLATIONS

- A. Tobacco tickets will be issued for violations of this policy. A copy of the ticket issued to employees will be provided to the Human Resources Office for processing after the period of time for filing of an appeal has expired or upon denial of such appeal. Copies of tickets issued to students will be provided to the Office of the Vice President of Student Services for processing after the period of time for filing of an appeal has expired or upon denial of such appeal.
- B. Upon receipt of the ticket by the applicable office, such office will issue the appropriate notice based on the number of offenses. Fines must be paid to the college's cashier's office within 30 days of receipt of the notice of the fine.

#### VII. APPEALS

- A. Alleged violators may appeal to the Director of Campus Security for a brief adjudicative procedure within seven calendar days of the date of the citation. The Director of Campus Security may void a ticket and not process it further.

- B. Appeals of the decision of the Director of Campus Security are to be submitted to the Vice President of Operations within seven days of receipt of such decision. Written notification of the Vice President's decision shall be made within ten days of receipt of the appeal and such decision by the Vice President shall be final.

VIII. UNPAID FINES:

If any fine remains unpaid, any or all of the following actions may be taken by the college:

- A. A hold may be placed on student transcripts.
- B. Registration for the following term may be delayed.
- C. The amount due as a result of fines due and payable may be deducted from paychecks of Niagara County Community College employees, including student workers, if not paid within 30 days of receipt of ticket by the Business Office.
- D. Outstanding fines may be referred to a collection agency.