# North Dakota State University Policy Manual

## SECTION 153 TOBACCO/NICOTINE-FREE CAMPUS

SOURCE: SBHE Policy Manual, Section 917

Fargo Municipal Code of Ordinances 10-1001 through 10-1303

North Dakota Century Code 23-12-09 through 23-12-11

**NDSU President** 

The use of tobacco and nicotine products are linked to many health hazards including cancer, heart disease, stroke, lung disease, diabetes and Chronic Obstructive Pulmonary Disease (COPD). Use of tobacco products is the leading cause of preventable death and disability in North Dakota. North Dakota State University is committed to promoting healthier educational, work and living environments. North Dakota State University recognizes the serious health risks associated with the use of tobacco and nicotine products, both to users and non-users alike, and believes that the use of Tobacco/Nicotine Products is detrimental to the health and safety of students, employees and visitors.

This tobacco/nicotine-free policy is established to:

- 1. Reduce the high incidence of tobacco and nicotine use in North Dakota.
- 2. Protect the health and safety of all students, employees, and the general public.
- 3. Establish a standard of healthy, tobacco/nicotine-free behavior.

#### Definitions:

"Campus Property" includes all property, both indoor and outdoor, that is owned, operated, leased, occupied or controlled by NDSU, including all buildings, stairwells, parking lots, offices, green spaces and sidewalks that are located on such property. Campus property also includes all motorized equipment and vehicles owned or leased by NDSU.

"Electronic Smoking Device" means any device that can be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah.

"Employee" means any person employed by NDSU in a full or part-time capacity, or any position contracted for or otherwise employed, with direct or indirect monetary wages or profits paid by NDSU, or any person working on Campus Property on a volunteer basis. The term includes all exempt and non-exempt employees, contactors, vendors and consultants.

"Off-Campus, University-sponsored Event" means any event sponsored by NDSU that does not take place on Campus Property.

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or hookah, or any other lighted or heated product, whether natural or synthetic, containing, made of, or derived from nicotine, tobacco, marijuana, or any other plant, that is intended for inhalation. Smoking also includes carrying or using an activated Electronic Smoking Device.

"Student" means any person enrolled in any educational course or program offered by NDSU.

"Tobacco/Nicotine Product" shall mean, any product containing, made of, or derived from tobacco or nicotine, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. "Tobacco/Nicotine Product" also means an Electronic Smoking Device and any component or accessory used in the consumption of a Tobacco Product, such as filters, rolling papers, pipes, and substances used in Electronic Smoking Devices, whether or not they contain nicotine. "Tobacco/Nicotine Product" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

"Tobacco/Nicotine Use" means the act of Smoking, the use of smokeless tobacco, or the use of any other Tobacco/Nicotine Product in any form.

"Visitor" means any person who is not a Student or Employee.

To support and model a healthy lifestyle for our students, employees and community, North Dakota State University establishes the following tobacco/nicotine-free policy.

#### Policy:

- 1. NDSU prohibits the use of Tobacco/Nicotine Products at all times anywhere on Campus Property. This includes, but is not limited to, the use of Tobacco/Nicotine Products by employees, students, contractors, vendors, and visitors to NDSU.
  - 1.1 Tobacco/Nicotine use is permitted at the NDSU Research Extension Centers (RECs) and NDSU Extension county offices (excluding the Main Experiment Station), but only in those outdoor areas at least 50 feet from buildings.
  - 1.2 Indoor smokeless tobacco/nicotine use (chewing tobacco, dip, snuff, and snus) is permitted at residences owned by the ND Agricultural Experiment Station, family student residences, oncampus professional staff residences, the President's residence, and other special exemptions as granted by the President or the President's designee.
- 2. The use of Tobacco/Nicotine Products is prohibited at all events held on Campus Property, whether or not such events are sponsored by, or associated with, NDSU, and all Off-Campus, University-sponsored Events.
  - 2.1 For NDSU Extension county programs, any local tobacco/nicotine policies will supersede NDSU policy, and employees of NDSU Extension conducting extension activities are exempt from enforcing NDSU policy 153 in spaces not owned by NDSU.
- 3. All tobacco/nicotine-related promotions, advertising, marketing, distribution, sponsorship, and acceptance of financial contributions and/or gifts are prohibited on Campus Property, at Off-Campus, University-sponsored events, and in all publications controlled by NDSU.
- 4. NDSU prohibits the sale or distribution of Tobacco/Nicotine Products on Campus Property and at Off-Campus, University-sponsored Events.
- 5. The Tobacco/Nicotine Product prohibition does not apply to specific activities used in connection with the safe practice of traditional spiritual, religious or cultural ceremonies (See

https://www.ndsu.edu/multicultural/student\_support/ for information on cultural ceremonies such as smudging, etc.).

5.1 When engaging in a spiritual, religious or cultural ceremony using smoke in any campus location, the following precautions should be taken:

Identification of the location of the nearest fire pull station and fire extinguisher;

Communication with appropriate students and NDSU personnel (room/suitemates and building directors) to share time and location of ceremony. Please contact NDSU personnel in person or by phone;

Contain embers and ashes in abalone shells, ceramic bowls, or similar items; and

Extinguish embers/ashes appropriately to eliminate risk of fire.

Communicating the Policy to Students, Employees, & Public:

This policy will be included in the NDSU Policy Manual and the Code of Student Conduct and communicated as part of the employee and student orientation. North Dakota State University shall post signs indicating that the Campus Property is tobacco/nicotine-free in all locations and in the manner identified in NDCC 23-12-10.4.1(a) and (b). In addition, notices should be posted in other highly visible places on Campus Property including, but not limited to, walkways, athletic fields, parking lots and at all Off-Campus, University-sponsored Events. Students, employees and the public will be notified of this policy in writing or electronically and, when feasible, through verbal announcements at University-sponsored events.

#### **Enforcement:**

All individuals on Campus Property or at an Off-Campus, University-sponsored Event share in the responsibility for adhering to and enforcing this policy. All members of the NDSU community are expected to support this policy and cooperate in its implementation and enforcement. Students, employees, and visitors violating this policy should be reminded of the policy and asked to comply.

Violations of the policy by students may be cause for disciplinary action in accordance with the Code of Student Conduct.

Violations of the policy by employees will be handled in accordance with written personnel policies contained in the NDSU Policy Manual.

### Cessation Resources:

Dangers of tobacco and nicotine use can be found at the <u>U.S. Department of Health & Human Services</u> and <u>Centers for Disease Control and Prevention</u> websites.

Students requesting tobacco and nicotine cessation assistance are encouraged to visit with <u>NDSU Student</u> Health Service.

Tobacco and nicotine cessation resources can be found on the https://www.hhs.nd.gov/health/community/tobacco/ndquits/cessation-programs webpage.

### HISTORY:

New June 21, 1990 Amended April 2006 February 2008 March 1, 2010 Amended Amended Housekeeping December 2010 Housekeeping May 31, 2012 April 11, 2013 Housekeeping Housekeeping April 22, 2013 Housekeeping June 15, 2018 August 23, 2021 Amended November 3, 2021 Amended Amended September 12, 2024