

University of Maine System Tobacco and Smoke Free Administrative Procedure

I. SUMMARY

The University of Maine System (“UMS”) joins with the American College Health Association (ACHA) in supporting the findings of the U.S. Surgeon General that tobacco and nicotine use in any form, active and passive, is a significant health hazard. UMS further recognizes that secondhand smoke has been classified as a Group A carcinogen by the United States Environmental Protection Agency (EPA). UMS supports the finding that smoking and the use of tobacco products is detrimental to the health and safety of everyone and thus promotes an environment where the students, faculty, staff, contractors, vendors, and visitors are not exposed to the harmful effects of secondhand smoke and are supported in efforts to live tobacco-free.

The success of this policy depends on the thoughtfulness, consideration, and cooperation of everyone. It is the responsibility of all members of a UMS campus community to comply with this policy.

II. POLICY STATEMENT

In compliance with Federal and State Laws, the University of Maine System is dedicated to providing students, staff, faculty, and visitors with a safe and healthy environment. As such, UMS offers tobacco and smoke-free communities.

This Tobacco and Smoke Free Policy applies to all students, faculty, staff, contractors, vendors, and visitors. Organizers of, and attendees at public events, including, but not limited to, conferences, meetings, lectures, social events, cultural events and/or athletic events using university owned, leased and affiliated property are required to abide by the policy.

In addition to prohibiting smoking and the use of tobacco and nicotine products, and to best support a tobacco and smoke free lifestyle, UMS prohibits:

- A.** Selling or distribution of all tobacco products and paraphernalia in all UMS locations and at UMS sponsored events;
- B.** Advertising and promotion of tobacco products on any UMS owned, leased and affiliated property;
- C.** Advertising and promotion of tobacco products in all UMS publications, including, but not limited to, newspapers and magazines;
- D.** Accepting donations or gifts from tobacco companies; and
- E.** Littering the remains of smoking or tobacco products or packaging on any UMS owned, leased, or affiliated property.

This policy prohibits the use of any smoking, tobacco and nicotine delivery products:

- A.** On all UMS owned, leased and affiliated property;
- B.** At all UMS sponsored events, both on and off campus, whether indoors or outdoors;
- C.** In all UMS owned, leased, or rented vehicles;
- D.** In all personal vehicles on UMS owned, leased, and affiliated property.

In addition, UMS encourages all students, employees and guests to be respectful and courteous to our community neighbors and avoid smoking within 20 feet of entryways, windows, vents and doorways, and any location that allows smoke to circulate back into a UMS owned, leased or affiliated building.

The University provides reasonable accommodations to qualified individuals with disabilities upon request. Individuals are encouraged to consult with the appropriate office on their campus.

III. DEFINITIONS

- A. University of Maine System (“UMS”):** means collectively or singularly, any of the following campuses: University of Maine at Augusta; University of Maine at Farmington; University of Maine at Fort Kent; University of Maine at Machias; University of Maine (Orono); University of Maine at Presque Isle; University of Southern Maine; and all other UMS owned and leased real Property.
- B. Smoking:** “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated, cigar, cigarette, pipe or joint, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and cannabis (medical and recreational), whether natural or synthetic in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device or any other device intended to simulate smoked tobacco for the purpose of circumventing the prohibition of smoking in this policy
- C. Tobacco:** All tobacco-derived or containing products, including but not limited to, cigarettes, cigars, little cigars, cigarillos, bidis, kreteks; all smokeless and dissolvable tobacco products, including but not limited to, dip, spit/spit-less, chew, snuff, snus and nasal tobacco, and any product intended to mimic tobacco, containing tobacco flavoring or delivering nicotine, including but not limited to electronic nicotine delivery systems, e-cigarettes, e-cigar, e-hookahs, vape pen, or any other product name or descriptor. Or the use of any other type of tobacco or nicotine product for the purpose of circumventing the prohibition of tobacco in this policy. This does not include products specifically approved by the US Food and Drug Administration (FDA) for the purpose of cessation of smoking or nicotine replacement therapy.

IV. EXCEPTIONS

- A. Religious and Ceremonial:** Religious and ceremonial tobacco use with prior approval from the Chief Student Affairs Officer or designee.
- B. Research:** Research with prior approval from the Institutional Review Board with notification to the appropriate Human Resources office, Vice President for Research or other comparable/appropriate area.

V. ENFORCEMENT

Everyone is required to comply with this system-wide Tobacco and Smoke Free Policy. Enforcement of this policy is viewed as a shared responsibility of all those in the campus community. Each campus is responsible for developing and communicating procedures for reporting and enforcing violations. The primary goal is to achieve voluntary compliance by educating students, faculty, staff, contractors, vendors, and visitors about the policy and providing smoking cessation assistance, as applicable.

Members of the campus community who see violations of this policy are encouraged to share policy information and/or follow reporting procedures for their location.

Violations may be handled in the following manner:

- A.** Students who are found in violation of this policy may be subject to disciplinary action in accordance with the UMS Student Conduct Code;
- B.** Employees who are found in violation of the policy may be subject to progressive disciplinary action up to and including termination;
- C.** Visitors who violate this policy may be required to leave UMS property; or
- D.** Contractors and vendors who violate this policy may be required to leave UMS property and it may impact their ability to remain a UMS contractor.