



BERGEN COMMUNITY COLLEGE POLICY

Policy Name:	Tobacco/Smoke Free Policy				
Section #:	B	Section Title:	Personnel/Human Resources Policies; Workplace Issues	Former #:	B: BD: BDC
Approval Authority:	Board of Trustees		Adopted:	8/7/91	Reviewed:
Responsible Executive:	Director of Human Resources		Revised:	10/3/07, 05/05/20	
Responsible Office:	Office of Human Resources, Department of Public Safety, and Division of Student Affairs		Contact:	HumanResourcesGroup@bergen.edu StudentConduct@bergen.edu PublicSafety@bergen.edu	

1. Policy Statement

Bergen Community College is committed to providing a safe and healthy working and learning environment for students, faculty, and staff at all of its campus locations. The effect of this policy is to prohibit the use of all tobacco, electronic cigarette, and other smoking-related products (Smoking) in all buildings and areas of college property. This stipulates that smoking is prohibited on the grounds, playing fields, walkways, roadways, parking lots, and all areas in and around the perimeter of the campus.

2. Reason for Policy

Tobacco is a major contributor to air pollution and breathing secondhand smoke may cause health risks. Tobacco can cause coronary heart disease or heart attack. Tobacco has been connected to various health-related issues (i.e. cancer, respiratory issues, dental issues, etc.).

Electronic smoking devices (ESDs) or electronic nicotine delivery systems (ENDS), commonly referred to as electronic cigarettes, or “e-cigarettes,” closely resemble and purposefully mimic the act of smoking by having users inhale vaporized liquid that typically contains nicotine, heated through an electronic ignition system. Most ESDs and ENDS contain and emit numerous potentially toxic substances and increase airborne concentrations of particulate matter and nicotine in environments.¹

The use of tobacco, hookahs, marijuana, ESDs or ENDS are forms of air pollution and constitute a danger to health and a material public nuisance.

Accordingly, Bergen Community College declares that the purposes of this policy are:

- (1) to protect the public health and welfare by prohibiting smoking and the use of tobacco products, including ESDs and ENDS, on the Bergen Community College campus.

¹ According to the American Nonsmokers’ Rights Foundation, more than 2,000 college and university sites in the United States have adopted 100% smoke-free, or even tobacco-free (including noncombustible tobacco) policies, and this number is rising steadily. The American College Health Association “encourages colleges and universities to be diligent in their efforts to achieve a 100% indoor and outdoor campus-wide tobacco-free environment.” The United States Department of Health and Human Services (HHS) created the Tobacco-Free College Campus Initiative (TFCCI), later administered by the American Cancer Society, in partnership with CVS Health, as the Tobacco-Free Generation Campus Initiative (TFGCI), to promote and support the adoption and implementation of tobacco-free policies at universities, colleges, and other institutions of higher learning across the United States.



- (2) to guarantee the right of nonsmokers to breathe smoke and vape free air, recognizing that the need to breathe smoke and vape free air shall have priority over the desire to smoke.
- (3) (3) to encourage a healthier, more productive living/learning environment for all members of our campus community.

3. Who Should Read this Policy

All members of the Bergen Community College community including faculty, staff, students, covered entities, lessees, contractors, non-employees, and agents of the College. This policy also applies to organizations with whom the College has Memoranda of Understanding for use of facilities and those who rent college facilities for events.

4. Resources

Students and employees of the College who desire to stop Smoking may obtain assistance through Health Services, Wellness Center & Personal Counseling. On-site treatment programs shall be made available to assist and encourage individuals who wish to stop Smoking.

5. Definitions

- a. **“Smoking”** means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, 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 for the purpose of circumventing the prohibition of smoking in this Article.
- b. **“Electronic Smoking Device” (ESD) and “Electronic Nicotine Delivery Systems” (ENDS)** refer any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
- c. **“Hookah”** refers to a water pipe and any associated products and devices, which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.
- d. **“Tobacco Product”** refers to any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation; but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

6. The Policy

All policies are subject to amendment. Please refer to the Bergen Community College Policy Library website (bergen.edu/policylibrary) for the official, most recent version.



A. Introduction:

- a. In light of the above policy statement, the Bergen Community College campus shall be entirely ESD, ENDS, Hookah, and Tobacco Product Free.
- b. The Tobacco/Smoke Free Policy applies to all Bergen Community College facilities, property, and vehicles, owned or leased, regardless of location. Smoking is not permitted in any enclosed place, including, but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, and performance venues within Bergen Community College spaces. Smoking and the use of tobacco products is also prohibited outdoors on all Bergen Community College campus property, including, but not limited to, parking lots, paths, fields, sports/recreational areas, and stadiums, as well as in all personal vehicles while on campus. This policy applies to all students, faculty, staff, and other persons on campus, regardless of the purpose for their visit.
- c. Bergen Community College finds that the cultural, spiritual and ceremonial use of traditional tobacco is an integral part of Native American life. Bergen Community College finds Native American cultural teachings about ceremonial tobacco and its use are of importance to the health, wellness, and welfare of the Native American people. The Native American fundamental, traditional, and ceremonial use of tobacco shall not be restricted for Native American tribal members pursuant to Section 4 of the Indian Self-Determination and Education Assistance Act.
- d. In further recognition of the incompatibility of Bergen Community College's educational mission and the promotion of tobacco products:
 - i. No tobacco-related advertising or sponsorship shall be permitted on Bergen Community College property, at Bergen Community College-sponsored events, at events held on College properties by external organizations, or in publications produced by the College.
 - ii. No tobacco products or paraphernalia shall be sold or distributed as samples on College properties, either in vending machines, the student center, or any area on campus.

B. Sanctions Against Violators:

- a. This policy shall be enforced by the Department of Public Safety in collaboration with the Office of Human Resources and the Division of Student Affairs.
- b. Policy violations will be treated in a manner that is congruent with offenses to the Student Code of Conduct (students) and Employee Code of Conduct (staff/faculty). Opportunities for tobacco users to learn about the policy change and adapt their behavior may be granted in the form of courtesy cards, which may be distributed by the Department of Public Safety. Violations may be reported using an online complaint form. Complaints should be filed within 10 business days of observing a potential violation in order to be addressed in a timely manner.
 - i. **Students:** Regarding student conduct, violations will be addressed with a hierarchy of sanctions congruent with the Student Code of Conduct, as deemed appropriate by the Vice President of Student Affairs or his/her designee. Sanctions may include reflective or restorative sanctions, educational programming, fines, or others as noted in the Student Code of Conduct.
 - ii. **Faculty/Staff:** The Office of Human Resources will execute progressive disciplinary actions against violators, as well as address any necessary



behavioral concerns. If an employee is a member of a recognized bargaining unit, the negotiated disciplinary procedure will be used.

- iii. **Visitors and Vendors:** Upon violation, a verbal request to cease the use of tobacco may be made by any member of the campus community, especially direct supervisors who oversee contracts. In cases where visitors or vendors fail to comply, the Department of Public Safety will be called to make and document a request to cease use of tobacco products. Visitors that do not comply with Public Safety will be issued a trespass warning and escorted off of Bergen Community College property.

C. Signage

- a. Information about the policy and compliance shall be posted on the Bergen Community College website. Announcements concerning the policy and any changes shall be posted on the Bergen Community College website.
- b. Signs prohibiting smoking and the use of tobacco products shall be posted at all points of entry to the Bergen Community College campus as well as all buildings at the Paramus and off-site locations. No ashtrays shall be provided at any location on campus.