

917.0 - Tobacco & Smoke Free Campus

Purpose:

The purpose of this operational procedure is to allow Bismarck State College (BSC) to provide an atmosphere conducive to physical and mental well-being and support the provision of services, including preventive programs, for a healthy and safe environment for its employees, students and visitors. To support this atmosphere, BSC is a tobacco and smoke free campus.

Definitions:

Campus Property: Includes all property, both indoor and outdoor, that is owned, operated, leased, occupied, or controlled by Bismarck State College including, but not limited to, all buildings, green spaces, athletic fields, parking lots, sidewalks, walkways and vehicles.

E-cigarette: 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. Electronic smoking device does not include drugs, devices or combination products authorized for sale by the United States Food and Drug Administration (FDA), as those terms are defined in the Federal Food, Drug and Cosmetic Act.

Tobacco: means any product containing, made of, or derived from tobacco or nicotine that 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 product also includes any electronic smoking device. Tobacco product does not include drugs, devices or combination products authorized for sale by the FDA, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

Student: any person enrolled in any educational course or program offered by Bismarck State College.

Employee: any person employed by Bismarck State College 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 Bismarck State College, or any person working on campus property on a volunteer basis. The term includes, but not limited to, faculty, administrators, personnel, contractors, consultants, and vendors.

Procedure:

BSC prohibits the use of tobacco and e-cigarettes on campus property and sponsored off-campus events. Tobacco usage includes all tobacco-derived products, including, but not limited to cigarettes, cigars, pipes, e-cigarettes, chewing tobacco, snuff, smokeless pouches, and other forms of loose-leaf tobacco. This prohibition includes indoors, outdoors, and in college/state vehicles.

This prohibition does not apply to specific activities associated with the practice of traditional or cultural ceremonies by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a. Ceremonial use must comply with and be approved in BSC Residence Halls through guidelines stated in the Residence Life Handbook. Ceremonial use must comply with and be approved in all other buildings and on property through contacting Bismarck State College's Buildings and Grounds department.

Scope

This applies to all employees, students, and visitors.

1. Prohibition of Tobacco Use, Advertising and Sales
 - a. Tobacco sales, industry promotions, advertising, marketing, financial support, gift distribution and any form of contribution are prohibited.
 - b. Tobacco industry and related company sponsorship of campus groups, events, individuals, and departments is prohibited. This includes scholarships, sponsorship of faculty positions, and recruiting for employment.
2. Responsibility/Enforcement:
 - a. Students
 - i. A student in noncompliance should be reported to the Community Standards Coordinator, the office of the Vice President of Student Affairs or designee.
 - ii. Noncompliance may result in disciplinary action through the [BSC Student Code of Conduct](#).
 - b. Employees



- i. Supervisors are responsible for ensuring that employees, students, visitors, and where applicable, contractors are made aware of this policy and that they comply with its requirements. Non-compliance with this operational procedure may result in disciplinary action being taken through disciplinary procedures.
- ii. For disciplinary actions for staff, please see the North Dakota University System Human Resource Policy 25. Job Discipline – Dismissal.
- iii. For faculty, normal disciplinary actions will be taken which could include Nonrenewal, Termination or Dismissal please see State Board of Higher Education policy 605.3.

References:

[North Dakota University System Policy 917 Smoke-Free Facilities](#)

[North Dakota Century Code § 23-12-09 Smoking in public places and places of employment - Definitions](#)

[North Dakota Century Code § 23-12-10 Smoking restrictions - Exceptions - Retaliation - Application](#)

[American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a](#)

[North Dakota University System Human Resource Policy 25 Job Discipline - Dismissal](#)

[SBHE Policy: 605.3 Nonrenewal, Termination or Dismissal of Faculty](#)

History of This Procedure:

Approved by the President's Cabinet November 8, 2005. Policy effective January 1, 2006. Revisions – January 31, 2006; September 13, 2010; November 22, 2010; reviewed by the Operations Council on October 24, 2012, and the BSC Board of Governors on November 5, 2012 and approved by the Executive Council on November 13, 2012; December 31, 2012; reviewed by the Operations Council on April 8, 2015 and approved by the Executive Council on May 28, 2015; September 8, 2016; July 18, 2018; February 21, 2019; September 9, 2020, changed from a policy to an operational procedure as reviewed by the Campus Council on April 26th, 2023, and reviewed by the Executive Council on May 17th, 2023, approved by the President on June 8th, 2023.

Reviewed by Campus Council on December 11, 2024, and reviewed by Executive Council on December 12, 2024, approved by the Vice President of Student Affairs, Kaylyn Bondy on December 12, 2024.