

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 electronic oral device, such as one composed of a heating element, battery or electronic circuit, or both, which provides a vapor of nicotine or any other substance, and the use or inhalation of which simulates smoking. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, and e-pipe or under any other product name, or descriptor. "E-cigarette" also includes any component part of such a product whether or not sold separately. "E-cigarette" does not include any product approved by the United States Food and Drug Administration for legal sale as a tobacco cessation product and is being marketed and sold solely for the approved purpose.

Procedure:

BSC prohibits the use of tobacco and e-cigarettes on campus property and sponsored off-campus events at all times. 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.

Scope

This applies to all employees, students, and visitors.

1. Prohibition of Tobacco Use, Advertising and Sales
 - a. Tobacco sales, industry promotions, advertising, marketing, and distribution are prohibited.



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 policy may result in disciplinary action being taken through normal 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](#)

[North Dakota State Board of Higher Education Policy 605.3 Job Nonrenewal, Termination or Dismissal](#)

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.