

UNIVERSITY REGULATION
PART V – FINANCE AND BUSINESS MANAGEMENT
Chapter 05.12 - Capital Planning and Facilities Management

R05.12.102. Smoke-Free/Tobacco-Free Campuses.

A. Prohibitions

Smoking and the use of all tobacco and tobacco-related products are prohibited within all university real property, buildings and vehicles. Littering an area with, or with the remains of, tobacco-related or smoking-related products is also prohibited. This prohibition applies to all university events, events held on university grounds or property and applies to all members of the university community including faculty, staff, students, friends, volunteers, patients, customers, vendors, contractors, guests and visitors.

B. Definitions

1. “contractor” means anyone contracted to do work at a university site or property.
2. “smoking” means inhaling, exhaling, burning, or carrying of any lighted or heated or vaporized tobacco-related product or non-tobacco plant product, or operating an electronic smoking or vaping device, instrument or apparatus which can be used to simulate the experience of smoking, or which can be used to house a liquid containing nicotine for delivery in any form to the user, including but not limited to hookahs, water pipes, e-cigarettes, e-cigars, e-pipes, and vape pens.
3. “tobacco” and “tobacco-related products” include all forms of tobacco, including but not limited to cigarettes, cigars, pipes, kreteks, bidis, other inhalable burning substances and all smokeless tobacco and tobacco-containing products.
4. “tobacco use” includes inhaling, smoking, sniffing, chewing, dipping, or any other assimilation of tobacco products.
5. “university real property and buildings” includes buildings, trailers, facilities, campus grounds, athletic facilities, university vehicles, exterior open spaces, covered walkways, breezeways, walkways between sections of buildings, trails, exterior stairways and landings, recreational areas, university-owned parking lots, driveways, loading docks, university-owned streets, shuttle bus stops, sidewalks within all university campuses, and all property that is owned, operated, leased, occupied or controlled by the university except as specified below.
6. “vendor” means anyone providing goods or services on university property or grounds.

C. Notices

1. No smoking/no tobacco use signs shall be posted conspicuously throughout each campus and in university facilities and vehicles as a reminder of the prohibition.
2. Each university's provost will ensure that faculty employment announcements and information provided to new faculty recruits and hires contain information about the tobacco-free environment.
3. Statewide Office of Human Resources will ensure that job postings and application portals contain information about the tobacco-free environment. Regional human resource offices will ensure that new employees receive information about the tobacco-free environment during the new employee orientation.
4. Each university's chief student affairs officer will ensure that university communication and information provided to prospective students and to enrolling students includes information about the tobacco-free environment.
5. Provisions regarding the tobacco-free requirements are to be included in all contracts and agreements with vendors, contractors, and any other entity doing business, holding events or performing volunteer work on university-controlled property.
6. Assistance with tobacco use cessation for students, faculty, and staff will be available through local student health services and the University of Alaska Wellness and Employee Assistance programs.
7. The full text of the policy will be available in relevant handbooks, and on the university website.

D. Exclusions

The prohibition in this regulation shall not apply in the following situations, to the extent that smoking or the use of tobacco or tobacco-related products is otherwise in conformity with applicable state, local and federal law:

1. Personally owned vehicles parked or being driven on the campus, provided that the vehicles are not within a university parking garage;
2. Public sidewalks or public rights-of-way that border a campus;
3. Use of a non-combustion nicotine product approved by the United States Food and Drug Administration for tobacco use cessation or harm reduction, as long as the product when used as instructed does not produce any vapors, fumes, smoke, gases, mists, particulates or other emissions in amounts significant enough to be detectable by third persons. This includes over-the-counter products (patches, gum, lozenges) and certain prescription products (nasal sprays, personal inhalers);

4. Areas within a fenced construction project in which the contractor has complete care, custody, and control of the job site, if the relevant contract explicitly authorizes the contractor to allow smoking within the site, provided that any smoking is to occur no less than 50 feet distant from the exterior fence;
5. The use of tobacco products necessary in the course and scope of university research, provided the university researcher obtains the prior approval of the chancellor, and that any smoke or vapor generated from the research is entirely contained within a laboratory fume hood;
6. The use of natural organic pesticides containing tobacco or tobacco derivatives and used in the official maintenance of the university campus grounds or as an academic instructional material;
7. Tobacco use on university-owned properties that are leased to a non-university party, if the provisions of the applicable lease or agreement explicitly allow such use and have been approved by the vice president of finance and administration;
8. Tobacco use in facilities that are not owned by, leased to, or controlled by the university and subject to the tobacco policies applicable to those particular facilities;
9. Tobacco use for educational, clinical, or religious ceremonial purposes with prior approval of the dean or director responsible for the facility, the provost or appropriate vice president or vice chancellor, and in the case of smoking, the local fire marshal;
10. Outdoor-only tobacco use at isolated research locations or on research vessels owned, leased, or controlled by the university when authorized by the onsite individual in charge of that location/vessel.

E. Compliance and enforcement

1. Implementation of this prohibition will rely heavily on the consideration and cooperation of both users and non-users of tobacco, and the willingness of all members of the university community to share the responsibility of adhering to and enforcing the prohibition, and of holding themselves and each other accountable. Whenever possible, concerns about tobacco and related product use should be respectfully addressed at the time such concerns arise, through respectfully informing the individual about the prohibition and encouraging compliance in a courteous and considerate manner.
2. Concerns regarding violations of the tobacco-free policy or regulation should be referred to the appropriate unit for review and action:
 - a. Students will be referred to the appropriate university student affairs representative for educational resources with an emphasis on cessation;
 - b. Faculty, staff, and volunteers will be referred to their respective supervisors for appropriate action (reference P04.07.040);

- c. Contractors and vendors will be referred to their respective employers and/or Procurement and Contracting Services for appropriate action;
 - d. Visitors and guests may be required to leave the campus if they fail to conform to the tobacco-free policy or regulation.
3. Individuals who advocate for or are considering disciplinary action against an employee or student for violating this policy or regulation should first consult with their regional human resources or student affairs offices.

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