

**University of Maine at Fort Kent**  
**University Policies**

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## **Smoking (Tobacco Use Policy)**

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**Initiating Department:** Student Affairs

**Policy Type:** General Administrative

**Action Taken:** Modify an Existing Policy

**Date of Development:**

**Date of Implementation:** 1/1/2013

**Date Last Modified:**

**Next Review Date:** 1/1/2015

**University of Maine at Fort Kent**  
**Tobacco Use Policy**  
**Effective January 1, 2013**

### **Policy Purpose**

- ▶ Tobacco use is the single most preventable cause of death and disease in the U.S. (Federal CDC)
- ▶ The Environmental Protection Agency (EPA) has classified second-hand smoke as a Class A carcinogen, the most toxic class of chemicals known to cause cancer.
- ▶ The U.S. Surgeon General stated in a 2006 report that there is "no safe level of exposure to second-hand smoke."
- ▶ As an institution of higher learning, UMFK has a responsibility to educate and lead on this critical health issue.
- ▶ Reduction of tobacco use will reduce future health care costs.

The University of Maine at Fort Kent (UMFK) is committed to providing a healthy and productive work and learning environment for the entire campus community.

The purpose of this policy is to reduce harm from tobacco use and second-hand smoke, reduce litter/residue from all tobacco/nicotine products, provide an environment that encourages a tobacco free lifestyle, reduce health care costs, and promote a campus culture of wellness and environmental responsibility.

### **UMFK Tobacco-Free Campus Policy**

Effective January 1, 2013, UMFK will become a tobacco-free institution, prohibiting the use of any tobacco or non-FDA approved nicotine product, including smokeless tobacco and e-cigarettes. This policy applies to all fulltime and part-time staff, faculty, students, contractors, vendors, the local community, and visitors.

Specifically:

- ▶ The use of all tobacco and non-FDA approved nicotine products such as electronic nicotine devices (e-cigarettes) is prohibited on all campus property owned or leased. This includes in and around all buildings, common areas, and parking lots (unless inside one's own vehicle).
- ▶ Tobacco use is prohibited in any university owned or leased vehicle.
- ▶ Tobacco use is permitted inside one's own car on campus property, as long as the windows are rolled up, the cigarette is smoked entirely inside the vehicle, and the cigarette butt is disposed of inside the car.

### **Procedure**

- ▶ Copies of this policy will be posted in accordance with Maine Law.
- ▶ This policy will be provided on request and included in training manuals, new employee orientation and reinforced/updated annually.
- ▶ This policy will be communicated in appropriate University publications and through internal and external communication vehicles.
- ▶ Appropriate signage will be posted at campus locations.
- ▶ UMFK's policy will be included in UMFK vendor contracts.

## **Enforcement**

From January 1, 2013 through March 31, 2013, there will be a grace period on enforcement where violators of this policy will be apprised of the policy without penalty.

Beginning on April 1, 2013, policy non-compliance will be handled in the following manners for faculty, staff and students:

Student and visitor non-compliance » (See below)

Faculty and staff non-compliance » (See below)

The success of this policy will depend upon the courtesy and cooperation of the entire campus community.

## **Resources**

These and other tobacco dependence treatment resources will be heavily promoted before and during enactment of this policy: *the Maine Tobacco HelpLine* at 1-800-207-1230 (students, faculty and staff), *Rise-UP* (one on one coaching) at 1-855-274-7387 (faculty and staff), and the University of Maine System Cigna health insurance plan (faculty and staff).

### **Tobacco Free Campus Policy Enforcement Protocol for Student Violations**

**Background:** UMFK's Tobacco-Free Campus Policy prohibits the use of any tobacco or non-FDA approved nicotine product, including smokeless tobacco and e-cigarettes. The policy is effective January 1, 2013, with formal enforcement commencing on April 1, 2013. This policy applies to all full-time and part-time staff, faculty, students, contractors, vendors, local community, and visitors.

**Overview of Enforcement (starting April 1, 2013):** UMFK's enforcement practices focus on education, normally allowing students two warnings prior to any formal sanctioning. A student who continues to violate the UMFK Tobacco-Free Campus Policy following two warning notifications is referred to the Student Conduct Officer for appropriate action based on the [UMS Student Conduct Code](#). Continuing violations may result in fines, community service or other appropriate sanctions.

#### **Enforcement Procedures Effective April 1, 2013:**

- 1) Evidence of prohibited tobacco use may include (but is not limited to) viewing the student smoking, disposing of a lit cigarette, spitting chew, smoking in a vehicle with the windows down, or using an electronic cigarette.
- 2) With evidence of prohibited tobacco use, a University employee or student informs the student of the policy and requests compliance. At the time of the incident the student will be required to identify him or herself. Failure of a student to properly identify him or herself to constitutes a student conduct offense and may result in an immediate referral to the student conduct process.

3) The employee/student notifies the Student Conduct Officer of the details their interaction.

a) Normally, the Student Conduct Officer considers the first two such reports as warnings.

b) With information regarding a second warning to a student, the Student Conduct Officer initiates contact with the student, explains the potential sanctions for a student who continues to violate the policy; offers to discuss strategies to avoid further violations; and reminds the student of resources available regarding tobacco use.

c) Notification of a third student violation will typically trigger a formal student conduct procedure.

d) Normally, the sanctions for a student conduct finding of "in violation" of the Tobacco Free Campus Policy are as follows:

i) 1<sup>st</sup> Conduct Violation: assessment of a \$25 fine or 2 hours of on-campus or University-approved community service. Failure to comply with the above sanctions will trigger a hold on the student's account.

ii) 2<sup>nd</sup> Conduct Violation: assessment of a \$50 fine or 4 hours of on-campus or University-approved community service. Failure to comply with the above sanctions will trigger a hold on the student's account.

iii) 3<sup>rd</sup> (or more) Conduct Violation: an appropriate sanction, up to and including suspension from the University of Maine System.

4) Failure of a student to discontinue tobacco use in a timely manner upon an official request constitutes a student conduct offense and may result in an immediate referral to the student conduct process; it does not require two prior warnings.

5) Written reports of student tobacco violations received from others not considered University employees shall be addressed in a manner consistent with both the UMFK Tobacco-Free Campus Enforcement Protocol and the UMS Student Conduct Code.

### **UMFK Tobacco-Free Campus Employee/Supervisor Guidelines**

Effective January 1, 2013 the University of Maine at Fort Kent will join a growing number of employers and institutions of higher education that have adopted a tobacco-free policy. All University faculty, staff, students, visitors, contractors, and guests are required to comply with the tobacco-free policy.

The purpose of this document is to familiarize University employees, supervisors and administrators with information about the policy and its enforcement, provide information about available resources, and information about how supervisors can assist any employee who is interested in stopping the use of a tobacco product.

#### **Policy Background**

In July, 2012 the University of Maine at Fort Kent announced its intent to become tobacco-free effective January 1, 2013. The intent of the policy is to promote a culture of health and wellness throughout UMFK and to reduce the harm from first, second and third-hand smoke. The University of Maine System is self-insured for health insurance. The policy is intended to help improve the health of University employees which will in turn help contribute to a reduction in the University's overall health insurance expenses.

The policy prohibits the use of all tobacco products, including smokeless tobacco and e-cigarettes. All locations including leased locations that are administered by the University of Maine at Fort Kent are governed by the tobacco-free policy. The policy goes into effect on January 1, 2013; and enforcement will begin April 1, 2013. The policy does not prohibit employees from the use of tobacco products but it does prohibit them from using tobacco products anywhere on campus except in their personal vehicle.

## **Resources**

The University of Maine at Fort Kent will make available information and resources to faculty and staff who are interested in discontinuing the use of prohibited tobacco products. University supervisors can refer employees who have expressed an interest in quitting to resources such as:

- ▶ RISE-UP
- ▶ APS
- ▶ Employee Assistant Program
- ▶ Maine Tobacco Hotline

Employees may also be encouraged to contact the UMFK Human Resources Office for tobacco cessation information and resources.

## **Supervisors' Responsibilities and Policy Enforcement**

All University supervisors are required to help enforce the tobacco-free policy with their employees. Any member of the University community may inform an individual who is observed using a tobacco product in violation of the policy about the University's tobacco-free policy. Designated members of the administration\* and campus Security Guards who observe an employee violating the tobacco-free policy shall remind the employee of the policy and expectation that the employee will conform. The employee's department head or supervisor should be informed about the conversation so they can discuss policy conformance with their employee.

## **Due Process**

It is important that the University provide alleged violators with due process. Any staff or faculty who violates the UMFK tobacco-free policy can be subject to progressive discipline up to and including termination of employment. Prior to imposing any discipline supervisors should consult with the Office of Administrative Services for advice and guidance.

\*For the purpose of this policy this is intended to include President, Vice Presidents, Deans, Directors