



## Administrative Regulation 6:5

# Tobacco Policy and Tobacco-Free Campus Committee

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## I. Introduction

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The University of Kentucky has a vital interest in maintaining a safe and healthy environment for our students, employees, patients and visitors. Research findings show that use of tobacco products in general constitutes a significant health hazard. The health care and health education programs of the University perform an important function by demonstrating and promoting healthy lifestyles through activities such as curtailment of the use of tobacco products. In addition, tobacco use is a serious safety concern and has been specifically listed as a contributing factor in a number of university facility fires across the nation, many of which have resulted in fatalities or major damage.

## II. Definitions

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- A. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe. "Smoking" also includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form.
- B. "Tobacco Products" means all forms of tobacco, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), bidis, electronic cigarettes, and smokeless tobacco products. "Tobacco products" does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

- C. “Electronic Smoking Device” means 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. “Members of the University community” include its faculty, staff, students, contractors, volunteers, patients, customers, and visitors.

### III. Entities Affected

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This regulation applies to all members of the University community.

### IV. Policy

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- A. For areas located within Fayette County, Kentucky, the use of all tobacco products is prohibited on all property that is owned, operated, leased, occupied, or controlled by the University, except as otherwise provided below (see Section V - Exceptions and Limitations). “Property” for purposes of this paragraph includes buildings and structures, grounds, parking structures, enclosed bridges and walkways, sidewalks, parking lots, and vehicles, as well as personal vehicles in these areas. To view the Lexington campus boundaries: <http://www.uky.edu/TobaccoFree/files/map.pdf>. To determine the status of other University property located within Fayette County, please contact the Office of Real Estate Services at (859) 257-8649.
- B. For areas not located within Fayette County, Kentucky, smoking is prohibited in all owned, operated, leased, or controlled University buildings and structures, parking structures, enclosed bridges and walkways, and vehicles except as otherwise provided below (see Section V - Exceptions and Limitations). Smoking is also prohibited outside buildings and structures within 20 feet of entrances, exits, air intakes, and windows, unless further restricted by division policy. Tobacco users are responsible for disposing of all tobacco products in appropriate receptacles.

### V. Exceptions and Limitations

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- A. Tobacco use may be permitted for research purposes, in a controlled laboratory setting with prior approval of the dean or director responsible for the facility, the Provost or appropriate executive vice president, and in the case of smoking, the University Fire Marshal. Smoke, like any other laboratory air contaminant generated, shall be controlled locally in a chemical hood or other exhaust system that provides 100% exhaust to the outside.
- B. Tobacco use may be permitted for fundamental traditional and ceremonial use of tobacco such as Native American tribal members with prior approval of the dean or director responsible for the facility, the Provost or appropriate executive vice president, and in the case of smoking, the University Fire Marshal.
- C. Tobacco use may be permitted on properties not used for campus business that the University owns, but leases or otherwise conveys an interest (e.g. an easement) to a non-University party located off campus, according to the provisions of the applicable lease or agreement, and with the prior approval of the Executive Vice President for Finance and Administration.
- D. Tobacco use in facilities that are not owned, leased, or controlled by the University are subject to the tobacco policies applicable to those particular facilities, and are exempt from this regulation.

## VI. Delegation

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Authority for enforcement of this policy is vested with the Provost, or the appropriate executive vice president or vice president, in conjunction with the Associate Vice President for Human Resources or the Dean of Students, or their designee.

## VII. Enforcement

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Violation of this regulation may result in corrective action under the Student Code of Conduct, Human Resources Policies and Procedures, or other applicable University Regulations or Policies. Visitors refusing to comply may be asked to leave campus.

## VIII. Tobacco-Free Campus Committee

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### A. Membership

1. The Committee is appointed by the President and reports to the Executive Vice President for Finance and Administration (EVPFA).
2. The Committee is composed of faculty, staff, and student members who have demonstrated an interest or professional expertise in the areas of campus safety and health, public relations, marketing, and smoking and tobacco use and cessation.
3. The President shall designate the chair or co-chairs.
4. Committee members have staggered three-year (3-year) appointments and may be reappointed.

### B. Responsibilities

The Tobacco-Free Campus Committee advises the President and senior leadership regarding tobacco-free campus issues, including but not limited to guiding the implementation of the University's tobacco-free campus policies, evaluating the University's tobacco policies, promoting compliance, and assisting with related campus events.

## References and Related Materials

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KRS 61.165, Smoking policy for governmental office buildings or workplaces and postsecondary education institutions

Governing Regulation, Part I, The University of Kentucky (Definition)

### Revision History

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11/6/2006, 11/20/2008, 11/19/2009, 9/24/2014 (Reviewed, No Revisions), 4/27/2017

For questions, contact: [Office of Legal Counsel](#)