



## Ohio Administrative Code

### Rule 3361:10-17-06 Conduct and ethics: tobacco and smoke free environment.

Effective: September 23, 2016

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#### (A) Rationale

(1) Smoking is one of the largest causes of illness and premature death in the United States. Research findings indicate that nonsmokers who are regularly exposed to tobacco smoke are also at increased risk of illness. The university recognizes that smoking any substance in any form poses a public health hazard. For purposes of this policy, "smoking" has the same meaning as in division (A) of section 3794.01 of the Revised Code, which is the inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted smoking device for burning tobacco or any other plant. Additionally, this prohibition includes all tobacco-derived or tobacco-containing products including, but not limited to, cigarettes, electronic cigarettes, vaporizing devices, cigars and cigarillos, hookah smoked products, pipes, oral tobacco (e.g., spit and spitless, smokeless, chew or snuff) and nasal tobacco (e.g., snus). It also includes any product intended to mimic tobacco products, contain tobacco flavoring or the smoking of any other substance that delivers nicotine.

(2) The university has had smoking regulations in place that are stipulated by the state of Ohio and, as a matter of policy, it shall be dedicated to providing a safe and healthy environment. Furthermore, the university has substantial commitments to health-related research, teaching and patient care. Thus, the university community has a particular obligation to be sensitive to health-protection issues and as a result, the university of Cincinnati intends to provide a one hundred per cent tobacco and smoke free environment. The following policy has been developed with these interests in mind and shall be applied consistently to all faculty, staff, students, visitors, volunteers, contractors and patients of the university of Cincinnati. Exemptions can include cessation devices approved by the federal drug administration (not including electronic cigarettes), nicotine replacement therapy, university-sponsored research, and conduct protected by the American Indian Religious Freedom Act codified under 42 U.S.C. 1996.

#### (B) Restrictions.



(1) Effective May 1, 2017, smoking and tobacco use (including chewing tobacco and electronic cigarettes as outlined in paragraph (A)(1) of this policy) shall be prohibited by students, staff, faculty, visitors, vendors, and contractors at all times in or on University of Cincinnati Properties, including events on university property during non-school hours, including but not limited to the following: all facilities owned or leased by the university of Cincinnati as well as the grounds of any property owned or leased by the university. This includes all shelters, indoor and outdoor theaters and athletic facilities, bridges, walkways, sidewalks, residence halls, parking lots, and street parking and garages owned by the university. Please note this also prohibits smoking inside personal vehicles parked on university property as well as any vehicles owned, operated or leased by the university of Cincinnati.

(2) To ensure compliance with this regulation:

(a) "No tobacco use" signage shall be posted in appropriate locations;

(b) University literature and advertising, particularly that which is related to the posting of employment opportunities and campus events, shall identify the university as being one hundred per cent smoke and tobacco free; and

(c) Announcements regarding this policy shall be made during university-sponsored events, as well as at campus functions where deemed appropriate. Event programs shall include a written reminder of this policy.

(3) Tobacco advertising, sales and distribution are prohibited on college campus grounds, in all sponsored publications and at all college campus sponsored events, that are affiliated organizations are prohibited from accepting any form of contribution including, but not limited to, financial support, gifts (such as curriculum, book covers, speakers, etc.) or in-kind support from the tobacco industry for the sponsorship or promotions of any event or activity affiliated in an manner with the university of Cincinnati.

(4) Although not under the authority of the university of Cincinnati, all students, staff, faculty and visitors of the university are requested to refrain from smoking and tobacco use on sidewalks and other areas adjacent to university property in an effort to remain good neighbors with our



community.

(C) Responsibility and compliance.

(1) It shall be the responsibility of all members of the university of Cincinnati community to observe this rule, both smokers and nonsmokers. Enforcement of this policy will depend on the cooperation of all faculty, staff, and students to not only comply with this policy but to encourage others to comply as well. This helps promote a healthy environment in which to work, study and live. Civility and respect is expected at all times in regards to this policy.

(2) The appropriate union contract or university policies shall prevail in addressing those faculty and staff who fail to comply with this rule.

(3) Tobacco education and cessation shall be closely coordinated with other components of the university of Cincinnati's wellness program.

(4) Any employee of the university of Cincinnati who violates this policy may be subject to disciplinary action up to and including termination and may be subject to monetary fines for violating Ohio's smoking ban (Chapter 3794. of the Revised Code).

(5) Any student of the university of Cincinnati who violates this policy may be subject to sanctions pursuant to the student code of conduct and may be subject to monetary fines for violating Ohio's smoking ban (Chapter 3794. of the Revised Code).

(6) Any visitor who violates this policy may be denied access to university of Cincinnati campuses and may ultimately be subject to arrest for criminal trespass.